



Chase Burnham
County Administrator

COUNTY OF CHISAGO

BOARD OF COMMISSIONERS

Chisago County Government Center
313 North Main Street, Room 172
Center City, MN 55012-9663

Commissioners:
District 1
Chris DuBose
District 2
Rick Greene
District 3
Marlys Dunne
District 4
Ben Montzka
District 5
VACANT

REGULAR MEETING – Wednesday, October 19, 2022 County Board Room, Room 172

6:30 p.m. Convene; Pledge of Allegiance; Approve Agenda

Road & Bridge Committee of the Whole:

Discussion

- 1.) County Engineer's Report

TAB 1

7:00 p.m. Citizen's Forum

"The Citizen's Forum is provided so you may make a comment, statement, question or proposal. You will be limited to three minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak that night."

Board of Commissioners' Consent Agenda:

- 1.) R&B Committee Recommendation – County Engineer's Report
- 2.) Minutes from the October 5, 2022 Meeting
- 3.) Payment of County's Warrants and Miscellaneous Bills

TAB 1

TAB 2

TAB 3

Environmental Services/Zoning Report – Kurt Schneider, Director

- 4.) Director's Report
- 5.) Brunet/Kaminski Kaminski Estates Final Plat
- 6.) Cowles – Unity Farm LLC Conditional Use Permit Amendment
- 7.) Zoning Ord. Amend. Slaughterhouse and Meat Processing as Use in the Ag. District
- 8.) Zoning Ord. Amend. – Functions of the Planning Commission
- 9.) Krousey/Brisco/Everett/Fish Lake Luth. – Rezoning Request from Rural Res. to Ag.
- 10.) Chad and Kari Rohman Accessory Structure Interim Use Permit (IUP) 60 Day Ext.
- 11.) Environmental Connections Newsletter Agreement with Leffler Printing

TAB 4

TAB 5

TAB 6

TAB 7

TAB 8

TAB 9

TAB 10

TAB 11

Other Business of the County Board

- 12.) Report and Recommendations from the October 12th, 2022 B/F Meeting
- 13.) Transportation of Children and Youth in Foster Care Placement Agreement
- 14.) Out of State Travel Request – Monthly Client Visit to Connecticut
- 15.) SHIP Grant Agreement – Lakeside Elementary
- 16.) Minnesota Towards Zero Deaths (TZD) Grant 2023

TAB 12

TAB 13

TAB 14

TAB 15

TAB 16

Discussion Items:

- Correspondence
- Administrator Updates
- Commissioner Committee Reports

CORR.

Adjourn Meeting of the Board of Commissioners



CHISAGO COUNTY

DEPARTMENT OF PUBLIC WORKS

Mail: 313 North Main Street, Room 400

Center City, MN 55012-9863

Office: 31325 Oasis Road, Center City, MN 55012-9863

Phone (651) 213-8700

Fax (651) 213-8772

#1

Joe Triplett, P.E.
Director | County Engineer

Ben Hobert, P.E.
Assistant County Engineer

Paul Gibson, L.S.
County Surveyor

Bruce Lind
Maintenance Superintendent

Ben Utech
Traffic Operations Manager

Barbara Shimon
Finance | Office Manager

PUBLIC WORKS MEMORANDUM

TO: Chisago County Board of Commissioners

FROM: Joe Triplett, P.E.

DATE: October 12, 2022

RE: Public Works Director's Report

Project Development Update:

2023 Projects: We continue plan development and right of way acquisition for our CR 59, CR 70 & CR 76 projects. We are also working on developing the 2023 Pavement Maintenance project and intend to have the 2023 T.I.P. to the Board for consideration in November or December.

2024 Projects: We have begun the preliminary design process for the CSAH 10 project. This includes beginning the environmental review that the federal funding process requires.

County Transportation Plan Update

Work continues on updating our Transportation Plan. We are in the data collection phase. We will be having a workshop with our cities and townships to gather their input on November 16th.

Mndot Meetings

I had the opportunity to meet with Mndot twice last week. Once with Mndot leadership, including the Commissioner of Transportation, and once with Metro District leaders. We discussed several issues:

- **TH 8.** We went over the county led project and learned that Mndot has the next segment (Karmel in Chisago City to the TH 95 roundabout) programmed for 2032. However, it looks to only be a pavement preservation project like they had originally proposed for the project we are leading. I told them that that was not going to be the correct project and requested a corridor study prior to final scoping. Stay tuned.
- **Long range Mndot plans.** Mndot has a couple of larger planning efforts underway that we (Minnesota County Engineers Association) are monitoring and commenting on along with several other groups.
 - **MnSHIP:** The 20-year Minnesota State Highway Investment Plan (MnSHIP) links the policies and strategies laid out in the Statewide Multimodal Transportation Plan to capital improvements on the state highway system.
 - **SMTP:** Links to the 20-year Statewide Multimodal Transportation Plan (SMTP). MnDOT's long-range plan for transportation investment and decision-making.

- **VMT Reduction:** There is an effort to reduce the number of vehicle miles traveled in Minnesota from a 2020 recommendation from the Sustainable Transportation Advisory council (STAC). The STAC's goal is a 20% reduction by 2050. There are a number of workgroups that are trying to work through this recommendation, as it affects greater Mn communities and users a lot differently than more metro users.
- ◆ **Other Trunk Highway Projects.** I went through a number of other potential projects that we would like to see Mndot undertake on their system. These include, but are not limited to:
 - I-35 Interchanges in Wyoming and Stacy
 - North Branch interchange
 - TH 95 intersections
 - CR 67, CSAH 9, CSAH 12, TH 8 in T.F., CSAH 26 & TH 243 (Mndot is scoping a roundabout at TH 243)
 - City of Shafer access concerns and CSAH 21 Roundabout

Maintenance Activities Update

Our Maintenance forces are currently working on shouldering our highways around the county. We also had company spray our Wild Parsnip and other noxious weed infestations. Street sweeping is also occurring this week.

TH 8 Reconstruction Update

We are continuing work on preliminary design and environmental documentation. We met with the Comfort Lake/Forest Lake Watershed District to discuss stormwater and water issues as well as the crossing at Comfort Lake. I am meeting with the DNR on this matter next week.

On the funding front, we are still safely in the US House's appropriations bill for a \$3M congressionally directed spending allotment from Congressman Stauber. We will also be looking to submit for funding through the Mndot Corridors of Commerce program.

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, October 05, 2022**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, October 05, 2022 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, Dunne, Montzka. Also present: County Administrator Chase Burnham, Clerk of the Board Christina Vollrath, and County Attorney Janet Reiter.

The Chair called the meeting to order and led the assembly in the Pledge of Allegiance.

Commissioner DuBose offered a motion to approve the agenda. Motion seconded by Montzka, the motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the board moved to open the Health and Human Services Committee of the Whole at 6:30 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka **OPPOSED:** None.

Chair Greene gave the gavel to Vice-Chair Montzka.

Health and Human Services Director Robert Benson provided the department updates.
No action was taken.

On motion by DuBose, seconded by Greene, the Board moved to add items 1-5 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the board moved to close the HHS Committee Board of the Whole at 6:40 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka **OPPOSED:** None.

On motion by DuBose, seconded by Montzka, the Board moved to approve the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

Board of Commissioners' Consent Agenda:

- 1.) HHS Committee Recommendation – Directors Update
- 2.) HHS Committee Recommendation – Payment of County's Warrants for HHS
- 3.) HHS Committee Recommendation – Affiliation Agmt with Northern Illinois University
- 4.) HHS Committee Recommendation – SHIP Grant Agreement – Rush City High School

- 5.) HHS Committee Recommendation – SHIP Grant Agreement – Chisago Lakes WCC
- 6.) Payment of County's Warrants and Miscellaneous Bills
Per Minnesota Statutes 375.1, proceedings of the County Board including a list of itemized accounts, claims or demands must be published in the official newspaper. The itemized list of claims is available for public review on the County website at <https://www.chisagocounty.us/1197/Claims-Paid>. Claims less than \$2,000 are listed as a total dollar amount and notes the number of claims included in the total.
- 7.) Minutes from the September 21, 2022 Regular Meeting
- 8.) Leaves Without Pay – County Board Policy/Labor Agreement

On motion by Dunne seconded by DuBose, the Board moved to appoint Angela Malley as a At-Large representative on the Extension Committee; effective immediately thru January 5th, 2024. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka **OPPOSED:** None.

On motion by Dunne seconded by Montzka, the Board moved to approve the attached Proclamation, which proclaims October 2022 as Manufacturers Month in Chisago County. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka **OPPOSED:** None.

On motion by DuBose seconded by Dunne, the Board moved to approve the FY23 WBIF Grant Work Plan as recommended by the Policy Committee, including authorizing the Planning Team to make non-substantive changes as required by BWSR and designating Chisago SWCD as the fiscal agent authorized to submit the work plan and execute the grant. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka **OPPOSED:** None.

On motion by DuBose seconded by Dunne, the Board moved to approve

1. Add Valley Creek and Kelle's Creek to the other regionally significant streams listed in Table 5-2 and Figure 5-2
- and
2. Add completed subwatershed assessments and inventories to Table 7-1 and Figure 7-1 as recommended by the Policy Committee.

The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka **OPPOSED:** None.

County Administrator Chase Burnham provided administrator updates and correspondence. *No action was taken.*

Several Commissioners offered reports of their respective committee assignments. *No action was taken.*

CITIZENS FORUM

TIME – 7:09 p.m. END TIME – 7:09 p.m.

of SPEAKERS – 0

On motion by DuBose, seconded by Dunne, the Board adjourned the meeting at 7:09 p.m. The motion carried as follows: **IN FAVOR THEREOF:** DuBose. Greene. Dunne. Montzka **OPPOSED:** None.

Richard Greene, Chair

Attest: _____
Christina Vollrath
Clerk of the Board



**CHISAGO COUNTY
BOARD OF COMMISSIONERS
October 19, 2022**

TAB # 3

Payment of County's Warrants & Miscellaneous Bills

Bills to be Paid \$748,676.55

Authorize Payment of County's Warrants for HHS:

<u>Prepared Check Date</u>	<u>Amount</u>	<u>Mail Date</u>	<u>Type of Payment</u>
09/30/2022	\$39,998.70		County's Warrants
09/30/2022	\$31,226.28	10/5/2022	Auditor's Warrants
10/7/2022	-		County's Warrants
10/7/2022	\$33,770.97	10/19/2022	Auditor's Warrants

Lake Area Bank; Derek Ankla; Sheriff; supplies; \$207.00
Lake Area Bank; Matthew Beckman; Sheriff; registration; \$395.00
Lake Area Bank; Karen Gates; Human Resources; registration; \$698.30
Lake Area Bank; Bridgitte Konrad; Auditor; registration; \$595.00
Lake Area Bank; Andrew Mahowald; Sheriff; registration; \$159.00
Lake Area Bank; Kyle Puelston; Sheriff; supplies; \$205.57
Lake Area Bank; Janet Reiter; County Attorney; registration; \$182.12
Lake Area Bank; Kurt Schneider; Environmental Services; supplies; \$330.00
Lake Area Bank; Scott Sellman; Sheriff; supplies; \$266.99
Lake Area Bank; Barbara Shimon; Public Works; supplies; \$249.25
Lake Area Bank; Joe Triplett; Public Works; supplies; \$78.60
Lake Area Bank; Dennis Wilton; Enterprise; supplies; \$50.00
Lake Area Bank; Tracy Krona; HHS; travel; \$512.97



**Chisago County Department of
Environmental Services and Zoning**

313 No. Main St. #243
Center City, MN 55012
651-213-8374 ~ kmschne@co.chisago.mn.us

Memo

To: Chisago County Board of Commissioners
From: Kurt Schneider, Director Environmental Services & Zoning
Date: October 13, 2022
Re: **October 19, 2022, Directors Report**

Enclosed within your packets are the following Department of Environmental Services and Zoning presentation/action item(s). Action items are further detailed in their corresponding Request for Board Action (RBA) reports. Please contact the Department if you have any questions or concerns or wish to view detailed Action Item hearing or file documents in advance of your October 19, 2022, Board meeting.

Action Items:

1. Receive Directors Report
2. Brunet/Kaminski Kaminski Estates Final Plat
3. Cowles – Unity Farm LLC Conditional Use Permit Amendment
4. Heinen Zoning Ord. Amend. Slaughterhouse and Meat Processing as Use in the Ag. District
5. Zoning Ord. Amend. – Functions of the Planning Commission
6. Krousey/Brisco/Everett/Fish Lake Luth. – Rezoning Request from Rural Res. to Ag
7. Chad and Kari Rohman Accessory Structure Interim Use Permit (IUP)
8. Environmental Connections Newsletter Agreement with Leffler Printing

Informational Item(s):

Board of Adjustment and Appeals:

The next regularly scheduled Board of Adjustment meeting is scheduled for October 27th at 7:00 pm. at the Government Center. The Board will also meet on October 26th, at 8:15 A.M. departing from Public Works at 31325 Oasis Road, Center City, MN to conduct organized tour of the agenda item property. Item(s) for consideration include:

1. Jason & Catherine Foss are requesting Variances to Zoning Ordinance Section 5.15 and Shoreland Management Ordinance Section 5.21, allowing the construction of a dwelling closer to the township road Right-of-Way, northerly side yard and Ordinary High Water Level than allowed in the Rural Residential I (RRI) District / Shoreland Management District. The .23-acre property is located at 49705 Afton Avenue, Nessel Township, S28, T37, R22 (PID# 06.00753.00).

Planning Commission:

The regularly Planning Commission meeting is scheduled for Thursday, November 3, 2022, at 7:00 p.m. in the Lower Level of the Chisago County Government Center. The Commission will also meet on November 1, 2022, at 9:00 A.M. departing from Public Works at 31325 Oasis Road, Center City, MN to conduct organized tours of the agenda item properties. Items for consideration include:

1. Frank and Debora Dusenka are requesting the Rezoning of four parcels, totaling 45± acres, from Rural Residential II (RRII) District to Agricultural (AG) District. The four parcels are located at 35089 Wild Mountain Road, Shafer Township, S1, T34, R19 (PID# 08.00004.20, 08.00018.15, 08.0003.00 and 08.00128.00).
2. A2A Investments LLC, represented by applicant John Kopp, is requesting approval of the Preliminary Plat of Ryan Farms Plat 1, involving the creation of three 5-acre lots from an 87.8-acre tract. The property is generally located on the east side of Keystone Avenue / CR 67 between Olson Road and 420th Street, Sunrise Township, S6, T35, R20 (PID# 09.00060.00).
3. Darin and Amy Dills are requesting approval of the Preliminary Plat of Angry Dangles Paradise, involving the creation of three lots from a 25-acre tract. The property is located at 34565 Wild Mountain Road, Shafer Township, S12, T34, R19 (PID# 08.00130.10).

General Department Informational Item(s):

Revenue associated with land use and construction permit activity thru September 30th has surpassed 100% projected annual budget at \$832, 872. The customarily attached summary of construction permit activity for September YTD is incomplete but will be provided for review in table form at your meeting. In total, 2,175 permits have been issued YTD as compared to year end permit totals of 1,782 in 2021 and 1,932 in 2020.

Water Resources and Parks staff have engaged the SWCD, DNR Hydrologist and Fisheries, and Minnesota Native Landscape LLC to devise a long-term erosion control project of note aimed at protecting critical segments of the Swedish Immigrant Regional Trail. The plan is to remove fallen trees/log jams and brush within select areas of the Lawrence Creek stream bed and incorporate a "cedar tree revetment" plan on the toe of the steeply eroded banks adjacent to the trail. Implementation of the plan should allow for better Lawrence Creek flow during the spring and heavy rain events and is also involving the collaboration and cooperation of adjacent Wildwood Campground owners.

Ben Elfelt, the newest department employee and Chisago Lakes Lake Improvement Administrator has taken the reigns and conducted his first solo CLLID full Board meeting as of Oct. 3rd. He is actively engaging in the hiring of assisting .50 FTE staff vacancy as well as routine water monitoring and administration tasks and special projects such as the N. Center/N. Lindstrom channel widening project.

Chisago County Request For Board Action

Meeting Date: October 19, 2022	Item Number: 5
Title of Item for Consideration: Brunet/Kaminski Kaminski Estates Final Plat	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services and Zoning on behalf of the Planning Commission
Previous Action on this Matter: The Kaminski Estates Preliminary Plat was recommended for approval by the Planning Commission on May 5, 2022 and approved by the Board on May 18, 2022.	
Background: Brad Brunet on behalf of property owners Nicholas and Alison Kaminski is requesting Final Plat approval of 38.8-acre two lot development to be known as Kaminski Estates. The subject property is located at 53145 Bayberry Avenue, Amador Township, (PID #06.00149.00). The Preliminary Plat of Kaminski Estates was approved by the Board of Commissioners on May 18, 2022, per Resolution No. 22/0518-2. The Final Plat conforms to the approved Preliminary Plat and meets all conditions of Preliminary Plat approval. A resolution of the Board of Commissioners consistent with that of approval of the Final Plat of Kaminski Estates is presented for Board consideration. Attachments: - Draft Resolution of Approval - Final Plat Kaminski Estates (original full copy provided at the meeting)	
Action Requested/Recommended It is respectfully requested that the Board affirmatively consider the recommendation of the Planning Commission to approve the Nicholas and Alison Kaminski "Kaminski Estates" Final Plat. The following motion is suggested: <i>"Move to Approve Resolution No. 22/1019____, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Final Plat of Kaminski Estates located at 53145 Bayberry Avenue, Amador Township, (PID #06.00149.00)."</i>	
Implications of Action – Recommended Board action grants approval of the Kaminski Estates Final Plat as presented. Budget/Financial Implications: None. Legal/Policy Implications: The proposed activities are in general conformity with applicable state statutes and County authority and policies.	
Administrator's Recommendation	
Approve _____	Deny _____
Other CSC _____	
Motion By:	Seconded by:
To:	
Action on Motion:	Aye _____ Nay _____ Abstain _____

Commissioner _____ offered the following resolution and moved its adoption:

RESOLUTION NO. 22/1019-_____
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY,
MINNESOTA, APPROVING THE FINAL PLAT OF KAMINSKI ESTATES

WHEREAS, Nicholas Kaminski & Alison Kaminski, property owners, and Brad Brunet, applicant, submitted a request for the Final Plat of Kaminski Estates on October 6, 2022; and

WHEREAS, the subject site is generally located at the northeast corner of North Lake Drive W. / CSAH 2 and Bayberry Avenue in Nessel Township and is located in the Agricultural (AG) District / Shoreland Management District; and

WHEREAS, the subject site is 38.8 acres in size and legally described as:

PID 06.00149.00

*The Southwest Quarter of the Southwest Quarter of Section 3, Township 37, Range 22,
Chisago County, Minnesota.*

*EXCEPTING THEREFROM all that part of Southwest Quarter of the Southwest Quarter of Section 3,
Township 37 North, Range 22, lying westerly of the centerline of existing town road (now known as
Bayberry Avenue) and lying north of the south 660 feet thereof.*

WHEREAS, the Preliminary Plat of Kaminski Estates was recommended for approval by the Planning Commission on May 5, 2022 per Resolution No. PC2022-0503 and approved by the Board of Commissioners on May 18, 2022 per Resolution No. 22/0518-2; and

WHEREAS, the Final Plat submitted on October 6, 2022 generally conforms to the approved Preliminary Plat and meets all conditions of Preliminary Plat approval.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the Final Plat of Kaminski Estates, subject to the following conditions:

1. The Final Plat is approved as submitted on October 6, 2022. Any deviation from the approved plat drawing shall require further review by the Planning Commission and approval by the County Board.
2. The applicant shall record the Final Plat in the office of the County Recorder within 120 days of its approval by the Board of Commissioners. Failure to record the plat within the prescribed period shall render the plat void.
3. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.

Commissioner _____ seconded the resolution and upon a vote being taken thereon, the following voted:

IN FAVOR THEREOF:

OPPOSED:

ABSENT:

Whereupon the proclamation was declared duly passed and adopted.

Approved: October 19, 2022

Richard Greene
Chair, Board of Commissioners

ATTEST: _____
Chase Burnham
County Administrator

Chisago County Request For Board Action

Meeting Date: October 19, 2022	Item Number: 6
Title of Item for Consideration: Cowles – Unity Farm LLC Conditional Use Permit Amendment	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services and Zoning on behalf of the Planning Commission
Previous Action on this Matter: The original CUP to the subject property was granted in 1989 to create a Planned Unit Development (PUD) and Preliminary Plat. The PUD allowed several deviations from the standard platting process and allowed the property to have more than one dwelling unit on seven of the eight newly created parcels. The 1989 application materials provided a specific number of dwelling units per parcel, with the number of dwelling units ranging from one to four and the total number of dwelling units within the PUD being 20.	
Background: Unity Farm LLC, represented by Fuller & Connee Cowles, has requested a Conditional Use Permit (CUP) Amendment to expand the existing property CUP to include a Commercial Recreation Area and Rural Retail Tourism. The subject property is in the Agricultural District at 29616 Unity Avenue, Franconia Township, Parcel 04.00537.23. The CUP Amendment seeks to allow the operation of a resort consisting of the rental of four existing buildings (deckhouse, cottage, coop and roost) as well as two camping sites, and seeks to allow the operation of a gathering venue barn for celebrations and small corporate retreats.	
At their meeting of October 6, 2022, the Planning Commission conducted the requisite public hearing and unanimously (4-0) adopted Resolution PC2022-1002 recommending approval of the request with conditions. A resolution of the Board of Commissioners consistent with that of the Commission's recommendation is presented for Board consideration.	
Pursuant to Minnesota Statute, the 60-day agency action deadline is November 6, 2022. Among the options for the County Board at tonight's meeting are the following:	
• Approve the CUP amendment, as recommended and with the Findings and Conditions prepared by the Planning Commission and carried forward by County ESD staff in Resolution form. • Consider and Approve the CUP amendment, generally as recommended by the Planning Commission and County ESD staff, but with modified Conditions determined and approved by the County Board at tonight's meeting (to be codified as part of the formal CUP approval). • The County Board may extend the initial 60-day period (up to a total of 120 days), if, before the end of the initial 60-day period, it notifies the landowner in writing of its intent to take additional time to consider the application, the reasons for the extension, and anticipated length of the extension (Minn. Stat. 15.99, Subd. 3(c)).	
Sufficient time exists for the County Board to extend the initial 60-day period via written notification, if such a decision is formally taken at tonight's Meeting. Any motion to extend this time period should include, at a minimum, direction to staff to prepare a written notification of the County Board's action "to take up to an additional 60 days to further review the record and make a decision on this application."	
• The County Board may Deny the CUP for legally justifiable reasons, but must state such reasons as part of the official record of decision (either as part of a motion to deny or as part of a failure of a motion to approve). Moreover, such action must be taken prior to the end of the initial 60-day	

period (or 120-day period if extended).

Additionally, State Statute directs (but does not mandate) that written reasons for denial be provided to the applicant prior to the end of the initial 60-day period (or 120-day period if extended) and be consistent with the reasons stated in the record at the time of denial. Typically, such written reasons are prepared and adopted by the body as part of its denial, or at the next scheduled meeting.

Attachments:

- Draft Resolution of Approval
- Planning Commission Presentation
- Planning Commission Staff Report & Hearing Packet
- Planning Commission Minutes (draft)

Action Requested/Recommended It is respectfully requested that the Board affirmatively consider the recommendation of the Planning Commission to approve the Unity Farm, LLC Conditional Use Permit Amendment request. The following is the suggested language for the motion:

“Move to Approve Resolution No. 22/1019____, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, Approving an Amendment to allow the addition of a Commercial Recreation Area (Resort) and Rural Retail Tourism (gathering venue) on property located at 29616 Unity Avenue, Franconia Township, Parcel 04.00537.00.”

Implications of Action – Recommended Board action grants the requested Conditional Use Permit Amendment request with conditions.

Budget/Financial Implications: None.

Legal/Policy Implications: The recommended Board consideration and action(s) are in conformity with generally accepted practices, procedures and interpretations of applicable state statutes and County ordinances and policies. Conditions placed on the CUP must be satisfied and cannot be modified, removed, expanded, or revoked without due process.

Administrator's Recommendation

Approve _____

Deny _____

Other 

Motion By:

Seconded by:

To:

Action on Motion:

Aye _____

Nay _____

Abstain _____

Commissioner _____ offered the following resolution and moved its adoption:

RESOLUTION NO. 22/1019-_____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY,
MINNESOTA, APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT
ALLOWING A PLANNED UNIT DEVELOPMENT, COMMERCIAL RECREATION AREA
AND RURAL RETAIL TOURISM ON PROPERTY LOCATED AT
29616 UNITY AVENUE IN FRANCONIA TOWNSHIP**

WHEREAS, Unity Farm LLC, property owner, and Charles Fuller Cowles & Constance Cowles, applicants, submitted an application dated received September 1, 2022 and considered complete on September 7, 2022 for a Conditional Use Permit Amendment on property located at 29616 Unity Avenue in Franconia Township; and

WHEREAS, the original CUP was granted by Chisago County in 1989 to allow a Planned Unit Development creating eight parcels and allowing certain deviations from the Zoning and Subdivision Ordinances; and

WHEREAS, the property owner's request includes the addition of Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) as allowable uses for Lot 3, Block 1, Cowles Farm Plat 3; and

WHEREAS, the subject site is located in the Agricultural (AG) District; and

WHEREAS, the subject site is 17.56 acres in size and legally described as:

PID 04.00537.23
Lot 3, Block 1, Cowles Farm Plat 3
Chisago County, Minnesota

WHEREAS, notice was provided and on October 6, 2022 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the CUP Amendment with conditions per Resolution No. PC2022-1002; and

WHEREAS, the Board of Commissioners considered the request and the Planning Commission's recommendation at its October 19, 2022 meeting and made the following findings per Zoning Ordinance Section 8.04 C:

- | | |
|-------------------|---|
| Factor #1 | The [proposed action is consistent with the] Comprehensive Plan and development policies of the County; |
| Finding #1 | <i>The County finds that the proposed Commercial Recreation Area and Rural Retail Tourism are consistent with the Chisago County Comprehensive Plan and development policies. The Comprehensive Plan provides several references to the County's intention to continue to allow and be supportive of the proposed land uses:</i> <ul style="list-style-type: none">• <i>To identify and protect the quality of visitor's experience of prime scenic features, areas of exceptional rural ambience, important historic sites and their surrounding settings and prime areas of flora study and wildlife viewing and public opens spaces to low-impact recreation. (p 2-43)</i> |

- *To protect natural resources, balance the demand for recreation with the need for conservation, offer recreation opportunities that encourage healthy lifestyles and provide clean, safe and accessible places for leisure time activities. (p 4-6)*
- *To promote farm, commercial recreation, and rural retail tourism businesses as a method to bring dollars into the Chisago County economy. (p 5-18)*
- *To promote natural amenities in the County as assets to economic development and business opportunity. (p 6-22)*
- *To acknowledge tourism's economic value and the contribution of this industry to both the diversity of the County economic base and the potential for growth. (p 6-22)*
- *To promote tourism and commercial recreation as expanding opportunities for employment and tax base. (p 6-22)*

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 *The County finds that the proposed CUP Amendment will have no impact on such public facilities and utilities as parks and schools. While there may be an increase in traffic on Unity Avenue, this increase will not be considered excessive. Further, the road authority (Franconia Township) has not identified any concerns relating to the public portion of Unity Avenue.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #3 *Given the dense vegetation on and surrounding the subject site, the large size of most of the neighboring parcels, the limited amount of development in the immediate area and the proposed setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to not cause undue negative impact nor deter future development.*

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

Finding #4 *The County finds that the proposed Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) uses are largely screened by vegetation and distance from all property boundaries and will, therefore, not have an adverse effect on adjacent properties. Further, the uses are proposed to be located in existing structures and the County finds no evidence to suggest that the structures have an appearance causing adverse effects upon adjacent properties.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

Finding #5 *The County finds that the Chisago County Zoning Ordinance allows Commercial Recreation Areas and Rural Retail Tourism as Conditional Uses in the AG District. In addition, Section 4.15 of the Chisago County Zoning Ordinance specifically encourages the development of Rural Retail Tourism with the following specific goals:*

- *Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes.*
- *To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy.*
- *Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere.*

- *Provide opportunities for new economic growth through Rural Retail Tourism businesses.*
- *Assist the County's citizens in the transition from primarily agricultural land uses, to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago County.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;
Finding #6 See Finding #5.

Factor #7 The proposed use will not cause traffic hazard or congestion; and
Finding #7 *It is anticipated that there will be an increase in traffic on Unity Avenue as guests arrive and depart from the subject site; however, neither the County Engineer nor the road authority (Franconia Township) expressed concerns with the proposal or related traffic impacts. Therefore, the County finds no evidence to suggest that the proposed use will cause traffic hazard or congestion on Unity Avenue or surrounding roadways.*

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.
Finding #8 *Based on existing vegetation and distance, the County finds that the proposed uses will not intrude on surrounding properties by way of glare or general unsightliness. Further, the proposed uses will be located within existing structures and the County has received no evidence to suggest that the structures have had or will have adverse impact to nearby properties. Of the adverse impacts identified in Factor #8, the County believes that noise associated with the Rural Retail Tourism use (gathering venue) may be a potential concern to nearby properties / property owners; however, the County believes that limiting hours of operation will address the potential for intrusion of noise.*

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the request for Conditional Use Permit Amendment, subject to the following conditions:

1. The original Conditional Use Permit for this property was granted by the Chisago County Board of Commissioners on June 1, 1989 and it granted approval of a Planned Unit Development involving the creation of eight parcels, including the subject parcel. This approval allows the subject property (Lot 3, Block 1, Cowles Farm Plat 3; PID 04.00537.23) to be used for Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) purposes in accordance with the application materials, including site plans and written narrative, dated received September 1, 2022. Any significant deviation, as determined by Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. The resort is limited to a maximum of 4 existing structures and 2 tent sites. The structures may be available for rent year-round and the tent sites shall only be available for rent Thursday through Sunday between April 1st and November 1st.
3. Prior to offering the tent sites for rent / use, they must be provided with sanitary facilities that comply with all applicable State of Minnesota Building and ISTS Codes.
4. If the existing outhouse is used in conjunction with the approved uses / available to resort and/or gathering venue guests, the outhouse must be converted to a vault toilet or connected to a septic system / holding tank.
5. The resort shall adhere to the strict observance of quiet hours from 10:00 pm to 7:00 am.

6. The permittee shall serve as caretakers of the subject site and shall be available to guests during all resort and gathering venue rental periods.
7. The gathering venue shall only be available for rent Thursday through Sunday between April 1st and November 1st. Gathering venue events shall observe quiet hours beginning at 10:00 pm for outdoor activities and 11:00 pm for indoor activities. All events must cease by 11:00 pm.
8. The maximum number of resort guests shall not exceed 24 at any given time, and the maximum number of gathering venue guests shall not exceed 125 at any given time. If the Chisago County Building Official determines that the gathering venue can accommodate fewer occupants, that number shall be the maximum number of guests at any given time.
9. All guest parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
10. The permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
11. Noise generated from any Commercial Recreation Area or Rural Retail Tourism uses, including musical performances, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No undue or objectionable noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace as so determined by any responding officer of the law.
12. Prior to converting the existing barn into a gathering venue, the permittees shall demonstrate that the structure complies with all of the requirements of the current State of Minnesota construction codes. Further, the structure shall be ADA compliant and be equipped with the required number of water closets, lavatories and sinks per the Minnesota Building Code. The permittees shall obtain all necessary building and/or septic permits prior to the conversion.
13. The permittee shall create a pre-incident emergency response plan and file it with the local fire department.
14. The permittee must notify the Chisago County Department of Environmental Services annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval.

Commissioner _____ seconded the resolution and upon a vote being taken thereon, the following voted:

IN FAVOR THEREOF:

OPPOSED:

ABSENT:

Whereupon the proclamation was declared duly passed and adopted.

Approved: October 19, 2022

Richard Greene
Chair, Board of Commissioners

ATTEST: _____
Chase Burnham
County Administrator

Amendment to CUP to Allow Commercial Recreation Area and Rural Retail Tourism

Unity Farm LLC / Fuller & Connee Cowles
PID 04.00537.23
29616 Unity Avenue
Franconia Township

1

Background:

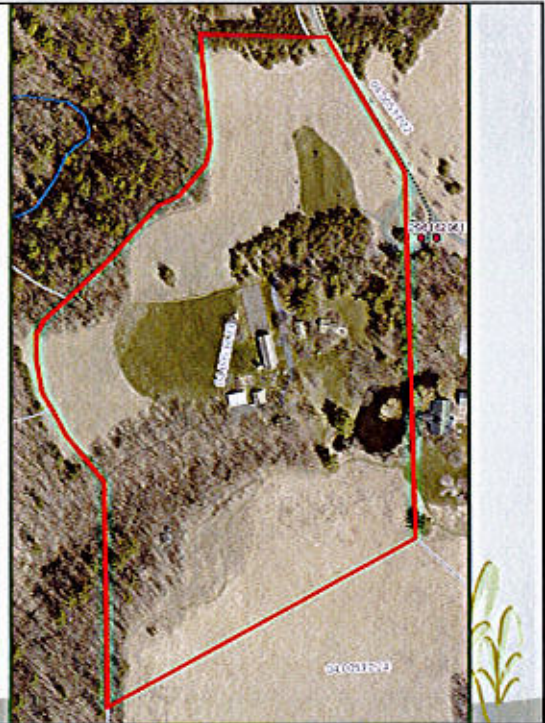
- Original CUP granted in 1989 for Planned Unit Development (PUD) creating 8 parcels
- Original CUP does not include any apparent conditions of approval

Date	Action
May 25, 1989 (Original CUP)	Planning Commission recommended approval of CUP for a Planned Unit Development (PUD) with no apparent conditions.
June 1, 1989 (Original CUP)	County Board approved CUP for a Planned Unit Development (PUD) with no apparent conditions.
October 6, 2022 (CUP Amendment)	Planning Commission conducts public hearing to consider CUP Amendment.

2

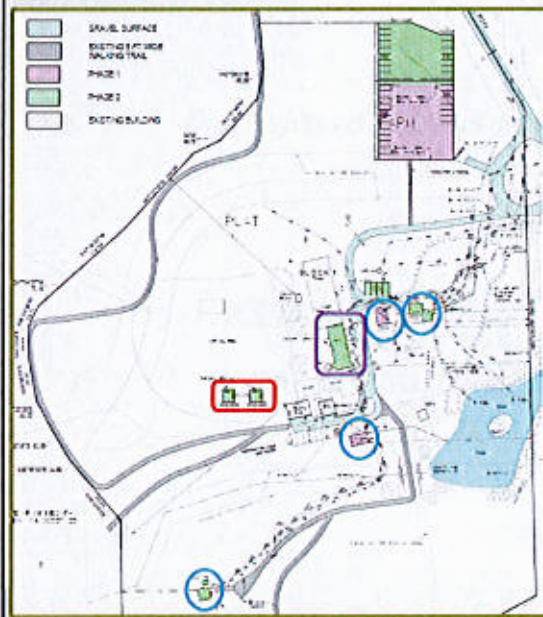
Site Information:

- Legal Description – Lot 3, Cowles Farm Plat
- Parcel Size – 17.56 acres
- Zoning – Agricultural (AG) District
- Surrounding Zoning – Agricultural (AG) District
- General Location – south of Hwy 8, west and north of St. Croix River, and east of Hwy 95
- Existing Development – 9 structures (barn, deckhouse, cottage, coop, roost, tractor shed, garage, outhouse, and screenhouse), 3 parking areas (total of 52 parking spaces), various amenities (tennis court, softball field, play set, 3-acre pond, wildlife lookout, 8' wide walking trail, and 3 gardens)



3

Proposal & Site Plan:



- CUP Amendment to allow Commercial Recreation Area in order to operate resort with 4 rental structures and 2 campsites, and Rural Retail Tourism in order to operate a gathering venue.
- Two-Phase Proposal – Phase 1 includes rental of 2 structures (coop and cottage). Phase 2 includes rental of 2 additional structures (roost and deckhouse), 2 campsites, and gathering venue (barn).
- 4 rental structures will be available for rent year-round.
- 2 campsites and gathering venue will be available for rent April 1 – November 1.
- Phase 1 to begin immediately and Phase 2 to begin in approximately 5 years (2027).
- 4 rental structures will accommodate a total of 16 people; 2 campsites will accommodate a total of 8 people; and, gathering venue will accommodate 125 people.
- All rental structures and campsites >100' from property boundary
- Site currently includes 3 parking areas with a total of 52 parking spaces.
- Applicants reside immediately east of subject site.

○ Rental Structures □ Campsites □ Gathering Venue

4

Review Process:



TECHNICAL REVIEW
COMMITTEE

SEPTEMBER 14, 2022

BUILDING OFFICIAL RAISED
AWARENESS OF DLI
REQUIREMENTS FOR "PLACES OF
PUBLIC ACCOMMODATION"



FRANCONIA
TOWN BOARD

SEPTEMBER 22, 2022

RECOMMENDED APPROVAL WITH NO
CONDITIONS



60-DAY
REVIEW PERIOD

EXPIRES NOVEMBER 6, 2022

5

Staff Recommendation, Options & Action Requested:

Staff Recommendation

Staff believes that the proposed CUP Amendment complies with and is consistent with the intent of the County's Zoning Ordinance. Barring any new or unknown evidence of compliance discovered after the completion of the staff report, or during the course of the public hearing, **staff recommends approval of the CUP Amendment with conditions.**

Options

1. Recommend that the County Board **approve** the Conditional Use Permit Amendment with findings of fact and conditions presented or amended.
2. Should the Planning Commission determine that the proposed Conditional Use Permit Amendment does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Conditional Use Permit Amendment based on factors deemed appropriate.
3. Recommend that the County Board **extend the review period** an additional 60 days to allow for submission of additional supporting documentation and/or further review and consideration, as allowed by Minnesota Statute 15.99. The current 60-day review period expires on November 6, 2022.

Action Requested

Motion to adopt Resolution No. PC2022-1002, a resolution recommending approval of an Amendment to a Conditional Use Permit allowing a Planned Unit Development, Commercial Recreation Area and Rural Retail Tourism on property located at 29616 Unity Avenue in Franconia Township, with conditions as presented or amended.

6

Recommended Conditions of Approval:

1. The original Conditional Use Permit for this property was granted by the Chisago County Board of Commissioners on June 1, 1989 and it granted approval of a Planned Unit Development involving the creation of eight parcels, including the subject parcel. This approval allows the subject property (Lot 3, Block 1, Cowles Farm Plat 3; PID 04.00537.23) to be used for Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) purposes in accordance with the application materials, including site plans and written narrative, dated received September 1, 2022. Any significant deviation, as determined by Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. The resort is limited to a maximum of 4 existing structures and 2 tent sites. The structures may be available for rent year-round and the tent sites shall only be available for rent Thursday through Sunday between April 1st and November 1st.
3. Prior to offering the tent sites for rent / use, they must be provided with sanitary facilities that comply with all applicable State of Minnesota Building and ISTS Codes.
4. If the existing outhouse is used in conjunction with the approved uses / available to resort and/or gathering venue guests, the outhouse must be converted to a vault toilet or connected to a septic system / holding tank.
5. The resort shall adhere to the strict observance of quiet hours from 10:00 pm to 7:00 am.
6. The permittee shall serve as caretakers of the subject site and shall be available to guests during all resort and gathering venue rental periods.
7. The gathering venue shall only be available for rent Thursday through Sunday between April 1st and November 1st. All events – and music, if any – must cease by 11:00 pm.
8. The maximum number of resort guests shall not exceed 24 at any given time, and the maximum number of gathering venue guests shall not exceed 125 at any given time. If the Chisago County Building Official determines that the gathering venue can accommodate fewer occupants, that number shall be the maximum number of guests at any given time.
9. All guest parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
10. The permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
11. Noise generated from any Commercial Recreation Area or Rural Retail Tourism uses, including musical performances, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No undue or objectionable noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace as so determined by any responding officer of the law.
12. Prior to converting the existing barn into a gathering venue, the permittees shall demonstrate that the structure complies with all of the requirements of the current State of Minnesota construction codes. Further, the structure shall be ADA compliant and be equipped with the required number of water closets, lavatories and sinks per the Minnesota Building Code. The permittees shall obtain all necessary building and/or septic permits prior to the conversion.
13. The permittee shall create a pre-incident emergency response plan and file it with the local fire department.
14. The permittee must notify the Chisago County Department of Environmental Services annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval.



Staff Report

TO: Planning Commission
 FROM: Beth Gervais, Land Services Coordinator
 SUBJECT: Amendment to Conditional Use Permit to Allow Commercial Recreation Area and Rural Retail Tourism
 29616 Unity Avenue, Franconia Township
 DATE: October 6, 2022

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider an Amendment to a Conditional Use Permit (CUP) in order to allow a Commercial Recreation Area and Rural Retail Tourism in the Agricultural (AG) District. The original CUP, approving a Planned Unit Development (PUD), was granted in 1989.

SITE & APPLICATION INFORMATION

Applicant(s):	Charles "Fuller" Cowles & Constance "Connee" Cowles
Property Owner(s):	Unity Farm LLC
Location:	29616 Unity Avenue Franconia Township Section 2, Township 33, Range
19	
PID:	04.00537.23
Property Area:	17.56 Acres
Current Zoning:	Agricultural (AG) District
Adjacent Zoning:	
North:	Agricultural (AG) District
South:	Agricultural (AG) District
West:	Agricultural (AG) District
East:	Agricultural (AG) District
Date Application Received:	September 1, 2022
Date Application Complete:	September 7, 2022
60-Day Review Period:	November 6, 2022

BACKGROUND

Unity Farm LLC, represented by Fuller & Connee Cowles, has requested a Conditional Use Permit (CUP) Amendment in order to expand the CUP to include a Commercial Recreation Area and Rural Retail Tourism on property located at 29616 Unity Avenue. The original CUP was granted to John & Sage Cowles in 1989 to create a Planned Unit Development (PUD). The PUD allowed several deviations from the standard platting process and also allowed the Cowles to have more than one dwelling unit on seven of the eight newly created parcels. The 1989 application materials provided a specific number of dwelling units per parcel, with the number of dwelling units ranging from one to four and the total number of dwelling units within the PUD being



20. The current request specifically pertains to Lot 3, Block 1, Cowles Farm Plat 3 (29616 Unity Avenue). While the original CUP does not apply solely to the subject site, it does include the subject site and is therefore being processed / referenced as an Amendment.

As previously stated, the former property owners obtained the CUP in 1989. Records show that the County Board granted approval of "a Conditional Use Permit for a Planned Unit Development and Preliminary Plat on the family property in Franconia Township, Sections 2 and 3, Township 33, Range 19 for Sage Fuller Cowles" on June 1, 1989. Records do not indicate that either the Planning Commission's recommendation or the County Board's approval included any conditions, which leads staff to believe that the CUP for PUD was approved as presented with no conditions of approval. Therefore, if the County Board approves the proposed CUP Amendment, the conditions pertaining to the Commercial Recreation Area and Rural Retail Tourism will be the only conditions applicable to the subject site. This means that the Planning Commission and County Board are not being asked to review existing conditions or consider Amendments to existing conditions. The table below illustrates the history of the current CUP status:

Date	Action
May 25, 1989 (Original CUP)	Planning Commission recommended approval of CUP for a Planned Unit Development (PUD) with no apparent conditions.
June 1, 1989 (Original CUP)	County Board approved CUP for a Planned Unit Development (PUD) with no apparent conditions.
October 6, 2022 (CUP Amendment)	Planning Commission conducts public hearing to consider CUP Amendment.

PROPOSAL ANALYSIS

The subject site is currently developed with several buildings and amenities, including:

- A 70' x 26' barn (1,820 sf);
- four detached accessory structures labeled "deckhouse", "cottage", "coop", and "roost";
- three separate parking areas providing a total of 52 parking spaces;
- a tennis court, softball field, play set, 3-acre pond, wildlife lookout, 8' wide walking trail running throughout the site, and three gardens; and
- other detached accessory structures labeled "barn", "tractor shed", "garage", "outhouse", and "screen house".

The site plan also shows two proposed 20' x 20' wood decks intended to serve as camping sites.

The Cowles are seeking approval of a CUP Amendment to allow a Commercial Recreation Area in order to operate a resort by renting four existing buildings (deckhouse, cottage, coop and roost) as well as two camping sites, and Rural Retail Tourism in order to operate a gathering venue (the barn) for celebrations and small corporate retreats. The written narrative explains that the Commercial Recreation Area and Rural Retail Tourism uses will be developed in two phases as follows:

- **Phase 1**
 - Rental of two existing structures – the coop and the cottage:
 - The Coop – One bedroom, kitchen, and parking located immediately north of the structure. The structure is 262' from the nearest property boundary and will accommodate up to four people.

- The Cottage – Two bedrooms with parking located immediately north of the structure. The structure is 226' from the nearest property boundary and will accommodate up to six people.
 - Phase 1 is proposed to begin as soon as CUP Amendment approval is granted by the County.
 - The two rental structures will accommodate a maximum of 10 people.
- Phase 2
 - Rental of two additional structures (total of four) – the roost and the deckhouse:
 - The Roost – One bedroom, cart in-only access, and parking located immediately north of the coop. The structure is 122' from the nearest property boundary and will accommodate up to two people.
 - The Deckhouse – One and a half bedrooms (sleeping loft) with parking located in close proximity (slightly northwest of the structure). The structure is 134' from the nearest property boundary and will accommodate up to four people.
 - Rental of two camping sites
 - Located in the area of the softball field, approximately 250' from the nearest property boundary.
 - Property owner will provide two 20' x 20' wood decks and guests will provide their own tents that will sit on the wood decks.
 - Camping sites will only be offered in conjunction with rental of the barn (gathering venue).
 - Each site will accommodate up to four people.
 - Use of camping sites will follow same schedule as use of the barn (gathering venue) – April 1st – November 1st.
 - Guests will have access to the “outhouse” which is approximately 250'-300' away as the crow flies. *Staff notes that the outhouse is a pit-style outhouse which is no longer legal per the State of Minnesota. If the applicants intend to use the outhouse in conjunction with the CUP, it must be converted to a vault toilet or connected to a septic system / holding tank.*
 - Rental of the barn as a gathering venue
 - Structure is reported to accommodate up to 125 people.
 - “Rental sanitation” will be used to serve the gathering venue. *Staff notes that the State of Minnesota Department of Labor and Industry requires “places of public accommodation” with occupant loads of 100 or more people to have water closets, lavatories and sinks per Minnesota Building Code Chapter 29 (discussed in greater detail below).*
 - Phase 2 is proposed to begin within five years (2027), after obtaining required approvals from the Minnesota Department of Health and complying with Minnesota Building Code occupancy standards.
 - The four rental structures will accommodate a combined maximum of 16 people.
 - The two camping sites will accommodate a combined maximum of eight people.

The applicants' written narrative and site plans (attached) offer additional information about the proposed CUP Amendment:

- The Commercial Recreation Area use (resort) will operate year-round.
- The stated vision for the Commercial Recreation Area use is to allow couples and small families to stay in the existing buildings so that they can enjoy a country retreat in a beautiful, relaxed setting.
- Quiet hours for the resort will be enforced between 10:00 pm and 7:00 am.

- All rental structures (resort) are served by septic systems.
- The Rural Retail Tourism use (gathering venue) will operate April 1 – November 1, with each rental period running from Thursday through Sunday. The camping sites will follow this same schedule.
- The stated vision for the Rural Retail Tourism use is an investment in improving the existing barn in order to host celebrations and/or small corporate retreats.
- Music in conjunction with the gathering venue will not exceed 95 decibels and will decrease to 70 decibels at 10:00 pm and will cease by 11:00 pm.
- Neighbors will be notified prior to gathering venue events.
- The barn (gathering venue) will be served by “rental sanitation”.
- The site plans show three separate parking areas with a total of 52 parking spaces. The northernmost parking area (accommodating 36 parking spaces) is noted to serve as overflow parking.
- The site plans show a gravel-surfaced road system located within the subject site which appears to range in width from 11’ to 15’. Staff notes that this road system appears to provide immediate emergency vehicle access to all structures with the exception of “the roost”. The roost is situated approximately 530’ from the nearest traversable road, at the end of an 8’ wide walking trail.
- Access to the site is gained from a private section of Unity Avenue. The site plans show that this private section ranges in width from 15’ to 19’ and is improved with a gravel surface.
- A dumpster is located onsite and the applicants note that additional trash receptacles will be added as needed.
- Staff notes one existing light pole centrally located on the subject site, immediately east of the tennis court.
- The 3-acre pond is available for fire equipment use and the property owners will post a pre-incident plan at the local fire hall.
- The subject site is surrounded by federal land and Lawrence Creek, and is in close proximity to Highway 8.
- The property owners maintain 65 acres of restored prairie land and pollinator ground cover, as well as a tennis court, large playfield, and mowed walking trails.
- Signs will be posted throughout the subject site to alert guests to the location of property boundaries and prevent trespassing onto neighboring properties.
- Fuller & Connee Cowles reside on adjacent Lot 2 (immediately east of the subject site) and will serve as caretakers and be responsible for all maintenance.
- All of the structures proposed for rental (resort and gathering venue) currently exist. No new construction is proposed as part of this CUP Amendment.
- Based on the reported occupancy levels, the maximum number of guests (combination of resort and gathering venue) at any given time could be 149.

While the applicants are proposing to implement the resort and gathering venue in two phases, staff’s recommended conditions of approval do not incorporate a time frame for the second phase. Rather, staff recommends that the County not include a specific time frame and allow the applicants to move forward with the second phase when they’ve secured all necessary permits / licenses / approvals and made all necessary improvements.

Commercial Recreation Area (Resort)

The Zoning Ordinance defines “Resort” as “a development consisting of buildings, camping spaces, parking areas, recreation areas, recreational equipment, for lease or rent for temporary residence on land under common ownership for the purpose of recreation and/or education”.

Rural Retail Tourism (Gathering Venue)

Zoning Ordinance Section 4.15 Rural Retail Tourism states that the purposes of Rural Retail Tourism are to:

- Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes;
- To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy.
- Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere;
- Provide opportunities for new economic growth through Rural Retail Tourism businesses;
- Assist the County's citizens in the transition from primarily agricultural land uses, to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago County.

Further, allowable Rural Retail Tourism businesses shall include such things as farm or other historical heritage attractions, single family residential rental properties for retreats, crafting, weddings, receptions, bed & breakfasts; small-scale, low impact special events or music festivals, corn mazes, holiday celebrations and harvest festivals, country-craft/antique shops, unique local venues providing for the sale and serving of locally produced raw and/or value-added agricultural products, goods and services, and other reasonably related merchandise, and other uses determined by the Department to be similar in nature and scope.

Technical Review Committee

As part of the review process, the Technical Review Committee met on September 14th. The applicants were not available to attend nor did the committee identify any concerns. However, following the meeting, the Building Official provided an informational handout from the Minnesota Department of Labor and Industry (DLI) pertaining to "places of public accommodation" (see attached). The information prepared by the DLI defines places of public accommodation as "a publicly or privately owned facility with an occupant load of 100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park or indoor swimming pool". The informational handout further discusses such issues as structural concerns, sanitation facilities, and fire sprinkler systems. Based on the reported occupant load of 125 people, the applicants will not be required to sprinkle the structure; however, they will be required to demonstrate that the structure complies with all of the requirements of the current construction codes, make it ADA compliant, and provide water closets, lavatories and sinks as required by Minnesota Building Code Chapter 29. Based on the reported occupant load, the Building Official has stated that the applicants will need to install at least one bathroom stall for women and one stall for men, with both required to be ADA compliant. The applicants have been made aware of these requirements and intend to make all necessary improvements prior to opening the second phase of the project.

SITE ANALYSIS

The subject site is generally located south of Highway 8, west and north of the St. Croix River, and east of Highway 95. The site is 17.56 acres in size and part of the Cowles Farm Plat 3 PUD / subdivision. Topography of the site includes large stands of mature trees, a 3-acre pond, what appears to be a ravine extending westerly from the pond, and elevations ranging from 909' at the northern boundary to 896' at the southern boundary. The subject site and all surrounding properties are located in the Agricultural (AG) District. The closest dwelling is owned by the applicants, Fuller & Connee Cowles, and is located east of the 3-acre pond approximately 280' from the nearest resort structure ("the coop"). The next

closest dwelling, owned by the Michael & Dorene Hanson Trust, is located more than 1,100' from the subject site.

FINDINGS OF FACT

Zoning Ordinance Section 8.04 (Conditional Use Permits) C. states that the Planning Commission shall consider possible effects of the proposed conditional use based upon, but not limited to, the general factors listed below. Staff has provided proposed findings, shown in *italics* below, for the Commission's consideration.

Factor #1	The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;
Finding #1	<i>The County finds that the proposed Commercial Recreation Area and Rural Retail Tourism are consistent with the Chisago County Comprehensive Plan and development policies. The Comprehensive Plan provides several references to the County's intention to continue to allow and be supportive of the proposed land uses:</i> <i>• To identify and protect the quality of visitor's experience of prime scenic features, areas of exceptional rural ambience, important historic sites and their surrounding settings and prime areas of flora study and wildlife viewing and public opens spaces to low-impact recreation. (p 2-43)</i> <i>• To protect natural resources, balance the demand for recreation with the need for conservation, offer recreation opportunities that encourage healthy lifestyles and provide clean, safe and accessible places for leisure time activities. (p 4-6)</i> <i>• To promote farm, commercial recreation, and rural retail tourism businesses as a method to bring dollars into the Chisago County economy. (p 5-18)</i> <i>• To promote natural amenities in the County as assets to economic development and business opportunity. (p 6-22)</i> <i>• To acknowledge tourism's economic value and the contribution of this industry to both the diversity of the County economic base and the potential for growth. (p 6-22)</i> <i>• To promote tourism and commercial recreation as expanding opportunities for employment and tax base. (p 6-22)</i>
Factor #2	The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;
Finding #2	<i>The County finds that the proposed CUP Amendment will have no impact on such public facilities and utilities as parks and schools. While there may be an increase in traffic on Unity Avenue, this increase will not be considered excessive. Further, the road authority (Franconia Township) has not identified any concerns relating to the public portion of Unity Avenue.</i>
Factor #3	The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;
Finding #3	<i>Given the dense vegetation on and surrounding the subject site, the large size of most of the neighboring parcels, the limited amount of development in the immediate area and the proposed setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to not cause undue negative impact nor deter future development.</i>

Factor #4	The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;
Finding #4	<i>The County finds that the proposed Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) uses are largely screened by vegetation and distance from all property boundaries and will, therefore, not have an adverse effect on adjacent properties. Further, the uses are proposed to be located in existing structures and the County finds no evidence to suggest that the structures have an appearance causing adverse effects upon adjacent properties.</i>
Factor #5	The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;
Finding #5	<i>The County finds that the Chisago County Zoning Ordinance allows Commercial Recreation Areas and Rural Retail Tourism as Conditional Uses in the AG District. In addition, Section 4.15 of the Chisago County Zoning Ordinance specifically encourages the development of Rural Retail Tourism with the following specific goals:</i> <i>• Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes.</i> <i>• To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy.</i> <i>• Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere.</i> <i>• Provide opportunities for new economic growth through Rural Retail Tourism businesses.</i> <i>• Assist the County's citizens in the transition from primarily agricultural land uses, to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago County.</i>
Factor #6	The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;
Finding #6	<i>See Finding #5.</i>
Factor #7	The proposed use will not cause traffic hazard or congestion; and
Finding #7	<i>It is anticipated that there will be an increase in traffic on Unity Avenue as guests arrive and depart from the subject site; however, neither the County Engineer nor the road authority (Franconia Township) expressed concerns with the proposal or related traffic impacts. Therefore, the County finds no evidence to suggest that the proposed use will cause traffic hazard or congestion on Unity Avenue or surrounding roadways.</i>
Factor #8	The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.
Finding #8	<i>Based on existing vegetation and distance, the County finds that the proposed uses will not intrude on surrounding properties by way of glare or general unsightliness. Further, the proposed uses will be located within existing structures and the County has received no evidence to suggest that the structures have had or will have adverse impact to nearby properties. Of the adverse impacts identified in Factor #8, the County believes that noise associated with the Rural Retail Tourism use (gathering venue) may be a</i>

potential concern to nearby properties / property owners; however, the County believes that limiting hours of operation will address the potential for intrusion of noise.

TOWNSHIP RECOMMENDATION

The Franconia Town Board reviewed the proposed CUP Amendment at its September 22nd meeting. The Town Board **recommended approval of the CUP Amendment with no conditions.**

STAFF RECOMMENDATION

Staff believes that the proposed CUP Amendment complies with and is consistent with the intent of the County's Zoning Ordinance. Barring any new or unknown evidence of compliance discovered after the completion of this report, or during the course of the public hearing, **staff recommends approval of the CUP Amendment with conditions** (see below) and has prepared a resolution for the Commission's consideration.

Recommended Condition(s):

1. The original Conditional Use Permit for this property was granted by the Chisago County Board of Commissioners on June 1, 1989 and it granted approval of a Planned Unit Development involving the creation of eight parcels, including the subject parcel. This approval allows the subject property (Lot 3, Block 1, Cowles Farm Plat 3; PID 04.00537.23) to be used for Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) purposes in accordance with the application materials, including site plans and written narrative, dated received September 1, 2022. Any significant deviation, as determined by Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. The resort is limited to a maximum of 4 existing structures and 2 tent sites. The structures may be available for rent year-round and the tent sites shall only be available for rent Thursday through Sunday between April 1st and November 1st.
3. Prior to offering the tent sites for rent / use, they must be provided with sanitary facilities that comply with all applicable State of Minnesota Building and ITS Codes.
4. If the existing outhouse is used in conjunction with the approved uses / available to resort and/or gathering venue guests, the outhouse must be converted to a vault toilet or connected to a septic system / holding tank.
5. The resort shall adhere to the strict observance of quiet hours from 10:00 pm to 7:00 am.
6. The permittee shall serve as caretakers of the subject site and shall be available to guests during all resort and gathering venue rental periods.
7. The gathering venue shall only be available for rent Thursday through Sunday between April 1st and November 1st. All events – and music, if any – must cease by 11:00 pm.
8. The maximum number of resort guests shall not exceed 24 at any given time, and the maximum number of gathering venue guests shall not exceed 125 at any given time. If the Chisago County Building Official determines that the gathering venue can accommodate fewer occupants, that number shall be the maximum number of guests at any given time.
9. All guest parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
10. The permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.

11. Noise generated from any Commercial Recreation Area or Rural Retail Tourism uses, including musical performances, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No undue or objectionable noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace as so determined by any responding officer of the law.
12. Prior to converting the existing barn into a gathering venue, the permittees shall demonstrate that the structure complies with all of the requirements of the current State of Minnesota construction codes. Further, the structure shall be ADA compliant and be equipped with the required number of water closets, lavatories and sinks per the Minnesota Building Code. The permittees shall obtain all necessary building and/or septic permits prior to the conversion.
13. The permittee shall create a pre-incident emergency response plan and file it with the local fire department.
14. The permittee must notify the Chisago County Department of Environmental Services annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval.

OPTIONS

1. Recommend that the County Board **approve** the Conditional Use Permit Amendment with findings of fact and conditions presented or amended.
2. Should the Planning Commission determine that the proposed Conditional Use Permit Amendment does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Conditional Use Permit Amendment based on factors deemed appropriate. *(Note: The Commission will need to include specific factor(s) for denial in its motion.)*
3. Recommend that the County Board **extend the review period** an additional 60 days to allow for submission of additional supporting documentation and/or further review and consideration, as allowed by Minnesota Statute 15.99. The current 60-day review period expires on November 6, 2022.

ACTION REQUESTED

Motion to adopt Resolution No. PC2022-1002, a resolution recommending approval of an Amendment to a Conditional Use Permit allowing a Planned Unit Development, Commercial Recreation Area and Rural Retail Tourism on property located at 29616 Unity Avenue in Franconia Township, with conditions as presented or amended.

If the Commission chooses to recommend denial of the request for Conditional Use Permit Amendment, staff will prepare a revised resolution based on the Findings of Fact established by the Commission.

ATTACHMENTS

1. Application materials:
 - a. Application
 - b. Written narrative
 - c. Site plans

2. DLI information handout
3. Aerial location map (1) – subject site
4. Aerial location map (2) – vicinity map
5. Draft Resolution No. PC2022-1002

CC: Fuller & Connee Cowles, applicants
County file

Permit #

22-1748

PLANNING ADMINISTRATIVE FORM

Chisago County Department of Environmental Services

Recording Fee 76.00

Base Fee 1,025.00

Wetland or Septic Fees

Plat Compliance Fee

TOTAL FEE \$1,071.00

Street Location 29616 Unity Ave, Tax Parcel # 04.00537.23

Legal Description Cowles Farm plat 3 Lot 3 E-Mail Address: Fuller@MayeronCowles.com

Owner: Charles Fuller + Constance Cowles Day Phone (612) 720 9525

Address 29616 Unity Ave, SHAFER, MN 55074

Applicant (if other than owner) Day Phone () 52, T33, R19

Address 29615 Unity Ave, SHAFER, MN. 55074 Lot 2, Block 1

Type of Request: Variance ☐ Preliminary Plat ☐

Administrative Appeal ☐ Administrative Permit ☐

Conditional Use Permit ☒ Ordinance Amendment ☐
(or amendment to CUP)

Interim Use Permit ☐ Rezoning ☐
(or amendment to IUP)

Applicable section of ordinance:

Description of request: To amend our existing CUP, Adding, Commercial

Recreation area + Rural Tourism, coverley.

If Variance Application, Brief Retail

Description of Practical Difficulty

Signature of Applicant Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

9-7-2022
Date Received

9-7-22
Date Complete

11-6-22
60/ 120 Day Review Period

Date of Public Hearing: OCTOBER 6, 2022

TOWNSHIP PRESENTATION FORM

Street Location 29616 Unity Ave, Franconia 55074

Legal Description Cowles Farm plat 3, Lot 3

Owner Name Charles Fuller + Constance Cowles Day Phone: (612) 720 9525

Address: 29615 Unity Ave, 55074

~~Applicant:~~ _____ Day Phone: ()
(if other than owner)

Address: _____

Type of Request: Variance ☐

Preliminary Plat ☐

Administrative Appeal ☐

Administrative Permit ☐

Conditional Use Permit ☒
(for amendment to CUP)

Rezoning ☐

Interim Use Permit ☐

Ordinance Amendment ☐

Description of Request: To Amend our existing CUP, Adding Commercial Rec Area + Rural Retail Tourism, To Allow us To Rent our guest Building

Date of County Public Hearing: _____

Date of Township Presentation: _____

TOWNSHIP ACTION TAKEN

Approved ☒

Denied ☐

Reasons and Conditions: _____

Signature of Township Officers:

[Signature]
[Signature]
[Signature]

[Signature]
Signature of Applicant

9/1/2022
Date

Narrative / Application Supplemental Materials

29616 Unity Ave

Legal Description: Lot 3, Cowles Farm Plat 3

Owner: Unity Farm, LLC, which is owned by Charles Fuller Cowles (Fuller) and Constance Cowles (Connee)

Request to Amend Existing Conditional Use Permit

Unity Farm is seeking an amendment to the existing condition use permit (CUP) that applies to the Cowles Farm Plat 3 property by adding Commercial Recreation Area and Rural Retail Tourism Business as additional conditional uses to allow (a) the operation of a commercial recreation area on Lot 3, Cowles Farm Plat 3 so that we may rent the existing buildings located on Lot 3, and (b) the operation of a rural retail tourism business so that we may rent our existing barn and two future tent camping sites (the "Glamping sites") on Lot 3 for celebrations and/or small corporate retreats. We would like to begin operating the commercial recreation area immediately as the first phase of our proposed project (Phase 1), and we would like to begin operating the rural retail tourism business as the second phase of the project sometime within the next five years (Phase 2). All of the buildings that we would like to rent currently exist and no new construction is planned.

Background

Fuller and Connee have lived and worked on their property since 1986. Both are artists and have been active in the community for years. Fuller co-founded the Franconia Sculpture Park and Connee was a creator of the St. Croix Valley pottery tour. Fuller is also currently a member of the Franconia / Shafer fire and rescue department.

Fuller's parents, John and Sage Cowles, purchased the property known as the Cowles Farm in 1980. In 1989, the Cowles family created a planned unit development (PUD) and Cowles Farm Homeowners Association, Inc., a Minnesota nonprofit corporation (the HOA), to provide more flexibility in the number buildings that could be built on each lot and to create and maintain large open spaces. John and Sage had created the PUD and HOA with the hope that each of their children would eventually build homes on the family farm.

Similar to other small farms, the Cowles family eventually needed to decide what to do with their family farm. In 2017, Unity Farm transferred Lots 5, 6 and 7, Cowles Farm Plat 3, to the Trust for Public Land to preserve that property so that the general public would have the ability to enjoy its beauty, including the unique flora and fauna. In 2014, Fuller and Connee donated John and Sage's five-bedroom family home that was located at Cowles Farm and moved it to the current location of the Franconia Sculpture Park.

Currently, Fuller and Connee (with Unity Farm), collectively own Lots 1, 2, 3 and 4 in Cowles Farm Plat 3. Fuller and Connee live and work on Lot 2. In 2016 they sold nearby property to Ani Kasten. Mike and Dorene Hanson had purchased a portion of the Cowles Farm property

from John and Sage Cowles and are also members of the HOA. Fuller and Connee have had a long and positive relationship with their neighbors for many years.

The Lots within Cowles Farm Plat 3 comprise an aggregate of approximately 145.9 acres. Fuller and Connee have maintained all of the buildings on Lot 3 in excellent condition. The overall site is a relaxed, beautiful farmyard setting. The land is surrounded by a federal national park, Lawrence Creek and Highway 8. We maintain 65 acres of restored prairie land and pollinator ground cover, as well as an existing tennis court, large playfield, and mowed walking trails along with private property signs designating our neighbors' land and where our guests are not allowed. We will communicate with our neighbors regarding our plans for the commercial recreational area and rural retail tourism business and will work proactively with them to address any concerns they may have.

Our vision for Lot 3 is to allow couples or small families to stay in the existing buildings noted below so that they can enjoy a country retreat in a beautiful, relaxed setting. In addition, we would like to invest in completing improvements to the existing barn on Lot 3, along with two future tent camp sites, to host celebrations and/or small corporate retreats. Because Chisago County currently only allows one short-term rental license per tax parcel, we are requesting that the existing CUP be amended to add Commercial Recreation Area and Rural Retail Tourism Business as additional conditional uses to allow us to rent the buildings and tent camp sites as described above.

Phase 1 - Commercial Recreation Area

There are two existing buildings on Lot 3 that we would like to begin to rent immediately as part of our commercial recreation area. The buildings are as follows:

- (a) the "Coop", which is located 262 feet from the property line, has one bedroom and a kitchen and has parking next to the building.
- (b) the "Cottage", which is located 226 feet from the property line, has two bedrooms, and has parking next to the building.

Unity Farm currently has a short-term rental license from Chisago County allowing the rental of one building (the Coop or the Cottage), and a Minnesota Department of Health permit allowing the rental of both of these buildings. As noted below, there are two additional buildings on Lot 3 (the "Roost" and the "Deckhouse") that we would like to rent as part of the commercial recreation area as soon as we obtain the required approvals from the Minnesota Department of Health for those two buildings.

We would operate the commercial recreation area throughout the year. Quiet hours for rentals will be enforced from 10:00 p.m. to 7:00 a.m.

The maximum sleeping occupancy is 4 people in the Coop and 6 people in the Cottage. Small children are allowed.

Phase 2 - Rural Retail Tourism Business / Commercial Recreation Area (additional rentals)

For our rural retail tourism business, we would like to rent out our existing barn and two future 20'x20' tent camping sites on Lot 3 for celebrations/corporate retreats. The existing barn is located 287 feet from the property line and can accommodate up to 125 persons. Quiet hours for rentals will be enforced from 10:00 p.m. to 7:00 a.m., celebration music will be 95 decibels and will decrease to 70 decibels at 10:00 p.m. and cease by 11:00 p.m. Neighbors will be notified prior to holding celebrations or corporate events. For celebrations and/or corporate retreats that require an event tent, the event tent will be set up and removed before and after each event. Rental sanitation would be provided to accommodate celebrations and other events.

The two future 20'x20' tent camping sites (the "Glamping sites") would be located near the existing tractor shed on Lot 3 as shown on the site plan.

There are two additional existing buildings on Lot 3 that we would like to rent as part of our commercial recreation area as soon as we obtain the required approvals from the Minnesota Department of Health. Those two additional buildings are:

(a) the "Roost", which is located 122 feet from the property line, has one bedroom, and has cart in only access (however there is emergency vehicle access); parking is available next to the tractor shed on Lot 3. Maximum sleeping occupancy is 2 people.

(b) the "Deckhouse", which is located 134 feet from property line, has one and 1/2 bedroom, with a sleeping loft, and has parking next to the building. Maximum sleeping occupancy is 4 people.

We would like to begin renting the existing barn, the two future tent camping sites and the Roost and Deckhouse within the next five years (i.e. by 2027), after obtaining required approvals from the Minnesota Department of Health. The rural retail tourism business (i.e., celebrations and corporate events) would operate between April 1st and Nov 1st each year, and each such rental would be for a period from Thursday through Sunday.

Additional Information Applicable to Phase 1 and Phase 2

The following is a summary of additional information related to our application to amend the CUP:

1. For all of the buildings, there is overflow parking in the north field on Lot 3. That parking area is 126 feet x 121 feet.

2. All of the roads throughout the PUD have easements, are built above County standards, provide good emergency vehicle access, and the dimensions are 15 feet wide and are noted on the site plan.
3. Celebrations and corporate retreats will have rental sanitation and staff for clean-up.
4. All rental buildings have County certified septic systems.
5. Water is supported by Minnesota Department of Health inspected wells.
6. No smoking is allowed indoors.
7. There is an existing dumpster for trash onsite. Additional receptacles for trash will be added as needed.
8. There will be no signage posted on Highway 8 related to our rentals.
9. We will continue to maintain private signs within the Cowles Farm Plat 3 property.
10. Existing farmyard light poles provide lighting (if needed) the sites.
11. There is a 3-acre pond available for fire equipment use. We will post a pre-incident plan at Fire Hall.
12. As noted above, Fuller and Connee live next door on Lot 2 and are responsible for all maintenance, including maintaining the existing private roadways.

NOT TRANSFERABLE
AS TO PERSON
OR PLACE

Fee Paid: \$287.00
866

MINNESOTA DEPARTMENT OF HEALTH
625 Robert Street North P.O. Box 64975
Environmental Health Division
St. Paul, Minnesota 55164-0975
(651) 201-4500

LICENSE NO. FBL-40145-57799 FOR THE OPERATION OF:

License Categories: Base Fee - FBL, Hospitality Fee, 2-Hotel/Motel, 0-Private Sewer,
1-Private Water

LICENSE PERIOD: May 15, 2022 THRU December 31, 2022

ISSUED TO:

Unity Farm LLC
275 Market Street, #274
Minneapolis, Minnesota 55405

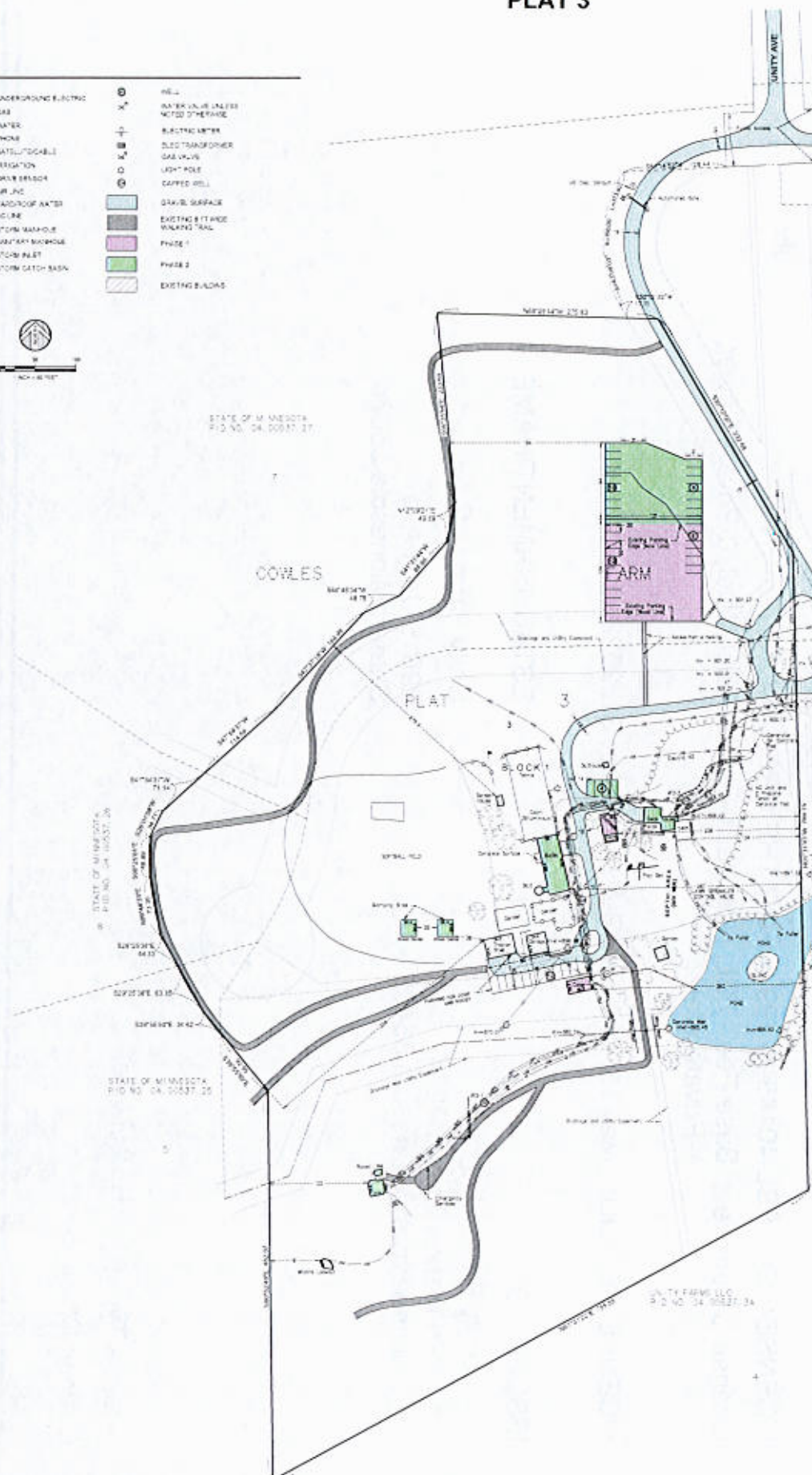
ESTABLISHMENT NAME:

Unity Farm LLC
29615 Unity Ave
Shafer, Minnesota 55074

License Type(s): Hotel/Motel
County: Chisago

SITE PLAN **LOT 3, COWLES FARM** **PLAT 3**

—●— UNDERGROUND ELECTRIC	⊙ WELL
—○— GAS	⊙ WATER VALVE UNLESS NOTED OTHERWISE
—●— WATER	⊙ ELECTRIC METER
—○— PHONE	⊙ ELECT TRANSFORMER
—●— SATELLITE/CABLE	⊙ GAS VALVE
—○— IRRIGATION	⊙ LIGHT POLE
—●— DRAIN BRANCH	⊙ CAPPED WELL
—○— AIR LINE	⊙ GRAVEL SURFACE
—●— HARDWARE WATER	⊙ EXISTING 8 FT WIDE WALKING TRAIL
—○— AC LINE	⊙ PHASE 1
⊙ STORM MANHOLE	⊙ PHASE 2
⊙ SANITARY MANHOLE	⊙ EXISTING BUILDING
⊙ STORM INLET	
⊙ STORM CATCH BASIN	



DATE	10/1/2010	BY	WIDSETH
DESIGNED BY	WIDSETH	CHECKED BY	WIDSETH
PROJECT NO.	1000000000	DATE	10/1/2010

UNITY FARM LLC
P.O. BOX 24, 10537, 24

LEGEND:

- ROAD
- PAVING
- DRIVE TENSOR
- ASPH
- GRASS/ROOF WATER
- ADJ. LINE
- STORM WAREHOUSE
- SANITARY WAREHOUSE
- STORM PILE
- STORM CATCH BASIN
- GRAVEL SURFACE
- EXISTING 4 FT. JAIL
- PAVING TRAIL
- PAVING 1
- PAVING 2
- EXISTING BUILDING

AREA	PURPOSE
AD-1	ROAD
AD-2	ROAD
AD-3	ROAD
AD-4	ROAD
AD-5	ROAD

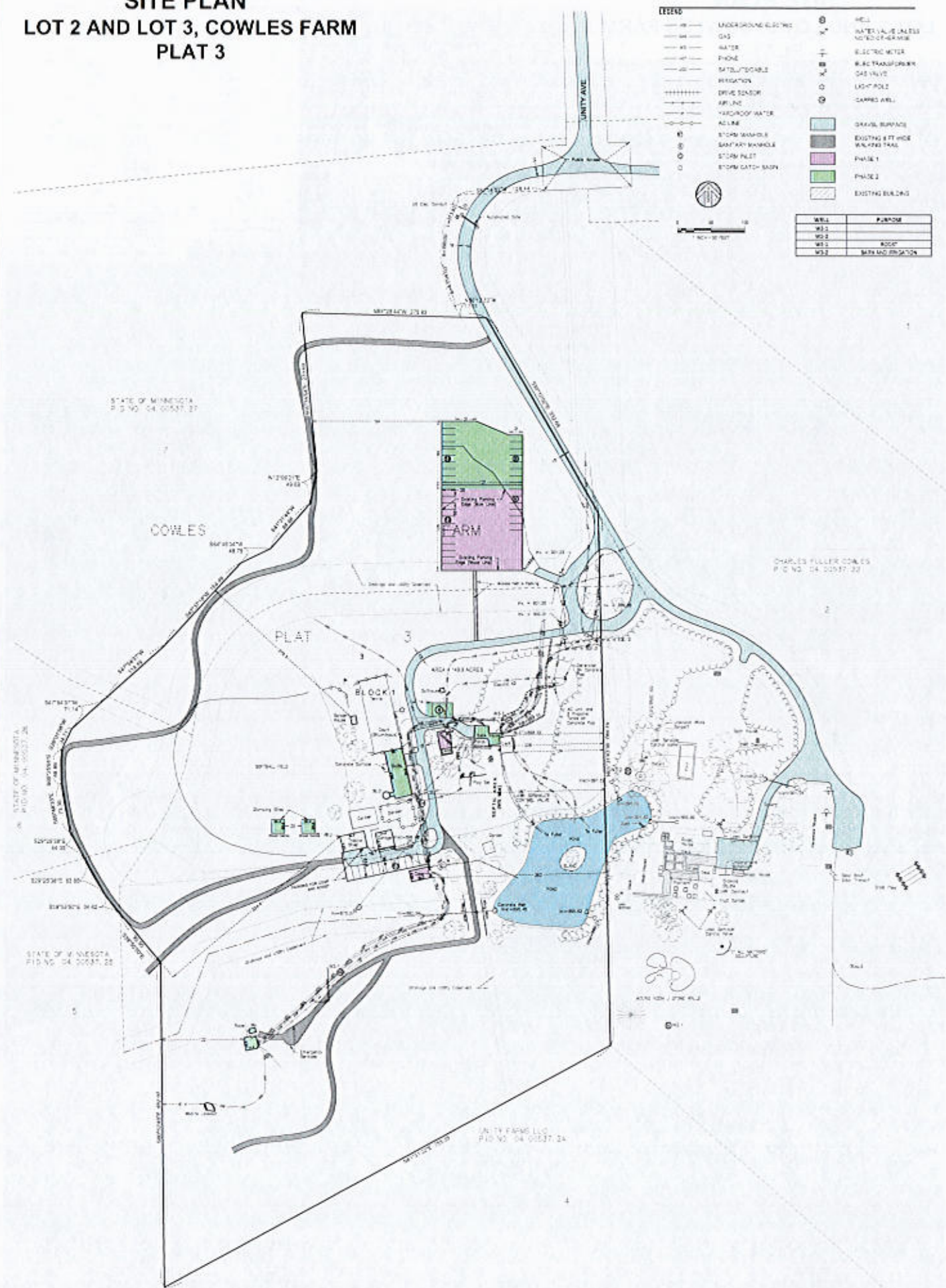
W2.1	PURPOSE
W2.2	
W2.3	
W3.1	ROOST
W3.2	BATH AND REGULATION

[illegible]

PREPARED FOR: DENTFAM, LLC

[illegible]

SITE PLAN LOT 2 AND LOT 3, COWLES FARM PLAT 3

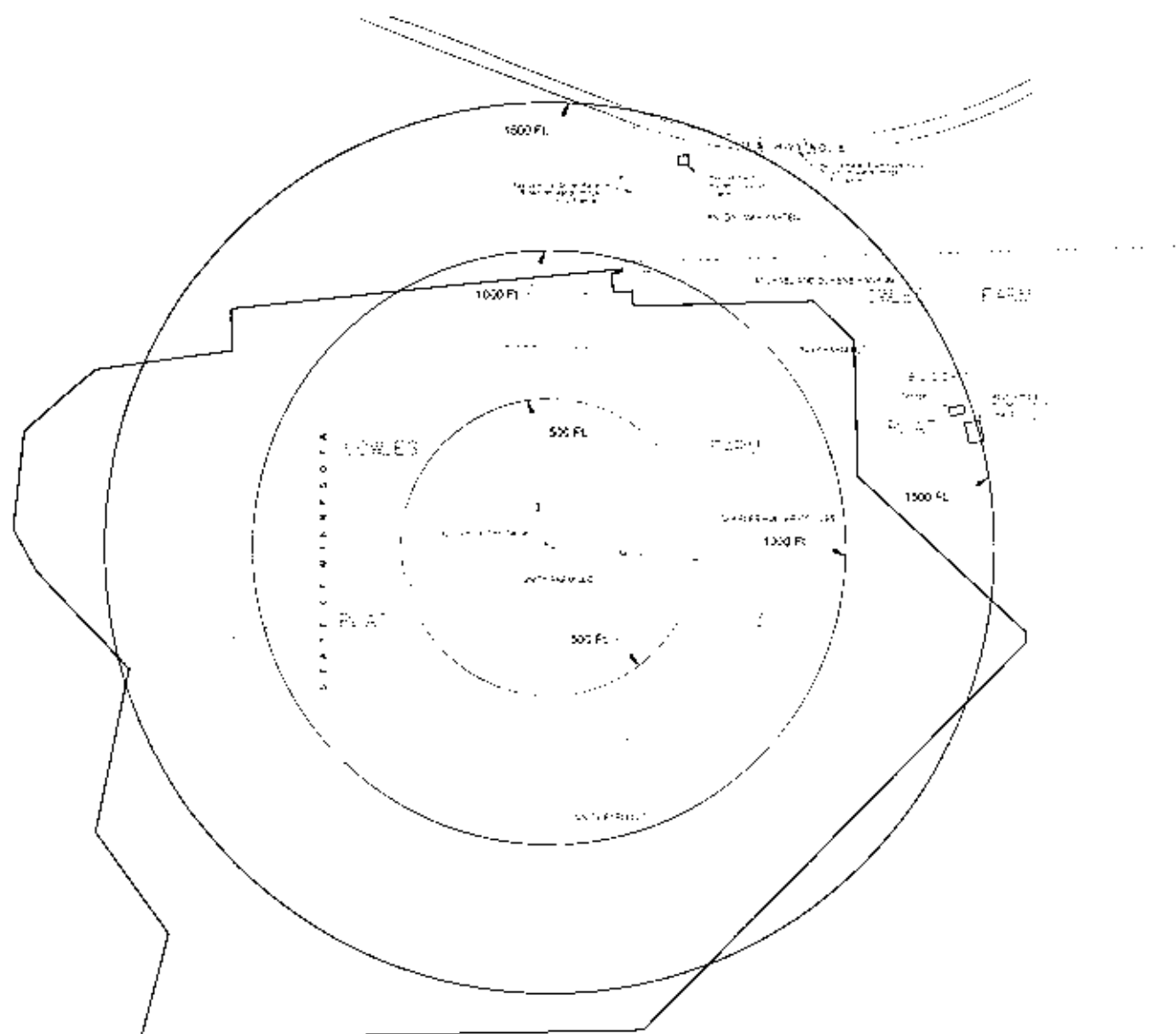


LEGEND

- UNDERGROUND ELECTRIC
- GAS
- WATER
- PHONE
- SAT/TELEPHONE
- IRRIGATION
- DRIVE SENSOR
- AIRLINE
- YARDHOOD WATER
- AC LINE
- STORM MANHOLE
- SANITARY MANHOLE
- STORM INLET
- STORM CATCH BASIN
- WELL
- WATER VALVE (ALLS)
- ELECTRIC METER
- WATER TRANSFORMER
- GAS VALVE
- LIGHT POLE
- CAMPUS WELL
- GRAVEL SURFACE
- EXISTING 8 FT WIDE WALKWAY TRAIL
- PHASE 1
- PHASE 2
- EXISTING BUILDING

WELL	PHASE
W1	PHASE 1
W2	PHASE 2
W3	PHASE 1
W4	PHASE 2

SITE PLAN COWLES FARM PLAT 3



FACT SHEET

PLACES OF PUBLIC ACCOMMODATION

Minnesota Department of Labor and Industry

State inspection of places of public accommodation in non-code areas

Minnesota law requires state inspection of new construction, change of use, alterations or additions to a place of public accommodation (PPA) designed for 100 or more people. As of July 1, 2017, application must be made to the Minnesota Department of Labor and Industry for building code review, permit and inspection before construction can begin on these public buildings that will be constructed in non-code enforced areas of the state.

What is a PPA?

A publicly or privately owned facility with an occupant load of 100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park or indoor swimming pool.



Occupant load: The calculated number of people for which the means of egress system is designed. This number is based on the number of square feet that the building code assigns to each occupant to ensure means-of-egress safety requirements.

Fire area: A building or portion of a building bounded by exterior walls, fire walls or fire barrier walls constructed per the Minnesota State Building Code.

Agricultural buildings: Buildings located on land assessed as agricultural which are designed, constructed and used to house farm implements, livestock or agricultural products and used by the owner, lessee and members of their immediate family, employees and persons engaged in the pickup or delivery of agricultural products.

Where to get permits for places of public accommodation

Land use permits and grading permits: County or Local municipality, if required.

Building permits and mechanical permits: If the property is within a municipality having local enforcement of the State Building Code, the local building department has jurisdiction. If there is no local code enforcement, the Construction Codes and Licensing Division (CCLD) at the Minnesota Department of Labor and Industry has jurisdiction for projects with an occupant load over 100 persons.

Sprinkler permits: Minnesota Department of Public Safety, State Fire Marshal's Division.

Electrical, plumbing and elevator permits: CCLD, except where the department has specific agreements with local building departments.

Where to start when planning

Without exception, all PPA require design and certification by an architect or engineer licensed in Minnesota. Start by

assembling the design team: architect, structural engineer, mechanical engineer (if including any heating and/or air conditioning), master plumber, electrical engineer or master electrician. Licensed professionals are listed at <https://mn.gov/aelslagid/roster.html>.

I have an existing building that I would like to convert to a PPA

Conversion of commercial and residential buildings: Existing commercial buildings may use the Minnesota Conservation Code for Existing Buildings. Changes in occupancy will typically result in requirements to comply with the current construction codes.

Conversion of agricultural buildings: Minnesota Statute 326B.121 exempts agricultural buildings from the building code. However, conversion of an agricultural building to a PPA requires demonstration that the building complies with all of the requirements of the current construction codes. A barn used for another purpose is no longer exempt.

What are some typical areas of concern?

Building structure: Buildings must meet current gravity load criteria (dead load + live load + snow load) and current lateral (wind) load criteria. Must demonstrate with certified calculations.

Accessibility: Must demonstrate and provide accessible parking, an accessible route to an accessible entrance, an accessible route within to every primary function area and public space, and accessible toilets. If primary functions are not on the accessible level, provide an elevator.

Toileting: Provide the number of water closets, lavatories, sinks and drinking fountains required by Minnesota Building Code, Chapter 29. Portable toilets are not acceptable except for outdoor stadiums.

Means of egress: Provide means of egress compliant with Chapter 10 of the Minnesota Building Code. Panic hardware is required on doors. Exit signage and emergency power for egress lighting is required.

HVAC: If providing heating or air conditioning and spaces were not previously conditioned or if the building was an agricultural building, the thermal envelope of the conditioned space and HVAC equipment must comply with the current Minnesota Energy Code. If no HVAC, the architect must provide calculations for natural ventilation compliance.

Fire sprinkler systems: PPA require sprinkling under the following conditions:

1. when the occupant load of the fire area containing the PPA is 300 or more persons (MS 326B.108), or
2. when the building code requires other occupancies within the fire area containing the PPA to be sprinkled and there is not a rated occupancy separation between those other occupancies and the PPA (MBC 508.4.1), or
3. when the building code requires the entire building to be sprinkled in order to comply with allowable building height (MBC 504) and allowable building area (MBC 506).



Unity Farm LLC - Aerial Photo

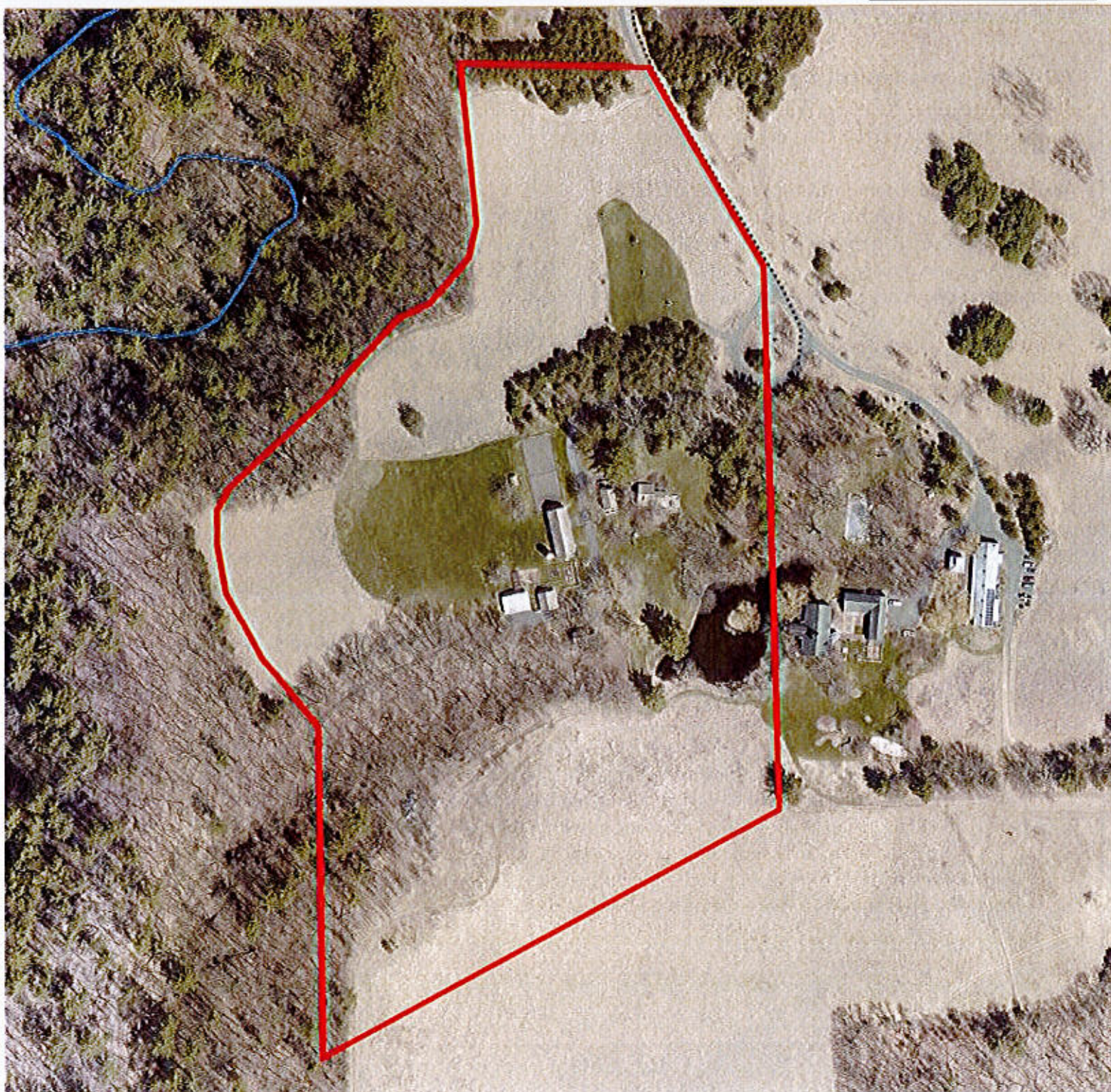
Unity Farm LLC, property owner, represented by Charles Fuller Cowles & Constance Cowles, is requesting a Conditional Use Permit (CUP) Amendment in order to expand the CUP to include Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) in the Agricultural (AG) District. The original CUP, approving a Planned Unit Development (PUD), was granted in 1989. The proposed resort would include rental of four existing structures and two campsites, and the proposed gathering venue would include rental of an existing barn to accommodate up to 125 people. The 17.56-acre property is located at 29616 Unity Avenue, Franconia Township, S2, T33, R19 (PID# 04.00537.23). Unity Farm Property - 



Franconia Township

S2, T33, R19

PID # 04.00537.23





Franconia Township
S2, T33, R19
PID # 04.00537.23

Unity Farm LLC - Aerial Photo

Unity Farm LLC, property owner, represented by Charles Fuller Cowles & Constance Cowles, is requesting a Conditional Use Permit (CUP) Amendment in order to expand the CUP to include Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) in the Agricultural (AG) District. The original CUP, approving a Planned Unit Development (PUD), was granted in 1989. The proposed resort would include rental of four existing structures and two campsites, and the proposed gathering venue would include rental of an existing barn to accommodate up to 125 people. The 17.56-acre property is located at 29616 Unity Avenue, Franconia Township, S2, T33, R19 (PID# 04.00537.23).
Unity Farm Property -

RESOLUTION NO. PC2022-1002

**A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF AN AMENDMENT TO A CONDITIONAL USE PERMIT ALLOWING
A PLANNED UNIT DEVELOPMENT, COMMERCIAL RECREATION AREA AND RURAL RETAIL TOURISM ON
PROPERTY LOCATED AT 29616 UNITY AVENUE IN FRANCONIA TOWNSHIP**

WHEREAS, Unity Farm LLC, property owner, and Charles Fuller Cowles & Constance Cowles, applicants, submitted an application dated received September 1, 2022 and considered complete on September 7, 2022 for an Amendment to a Conditional Use Permit allowing a Planned Unit Development (PUD) on property located at 29616 Unity Avenue in Franconia Township; and

WHEREAS, the subject site is located in the Agricultural (AG) District; and

WHEREAS, the subject site is 17.56 acres in size and legally described as:

PID 04.00537.23
Lot 3, Block 1, Cowles Farm Plat 3
Chisago County, Minnesota

WHEREAS, notice was provided and on October 6, 2022 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant, and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Conditional Use Permits and made the following findings per Zoning Ordinance Section 8.04 C:

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

Finding #1 *The County finds that the proposed Commercial Recreation Area and Rural Retail Tourism are consistent with the Chisago County Comprehensive Plan and development policies. The Comprehensive Plan provides several references to the County's intention to continue to allow and be supportive of the proposed land uses:*

- *To identify and protect the quality of visitor's experience of prime scenic features, areas of exceptional rural ambience, important historic sites and their surrounding settings and prime areas of flora study and wildlife viewing and public opens spaces to low-impact recreation. (p 2-43)*
- *To protect natural resources, balance the demand for recreation with the need for conservation, offer recreation opportunities that encourage healthy lifestyles and provide clean, safe and accessible places for leisure time activities. (p 4-6)*
- *To promote farm, commercial recreation, and rural retail tourism businesses as a method to bring dollars into the Chisago County economy. (p 5-18)*
- *To promote natural amenities in the County as assets to economic development and business opportunity. (p 6-22)*
- *To acknowledge tourism's economic value and the contribution of this industry to both the diversity of the County economic base and the potential for growth. (p 6-22)*

- *To promote tourism and commercial recreation as expanding opportunities for employment and tax base. (p 6-22)*

Factor #2	The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;
Finding #2	<i>The County finds that the proposed CUP Amendment will have no impact on such public facilities and utilities as parks and schools. While there may be an increase in traffic on Unity Avenue, this increase will not be considered excessive. Further, the road authority (Fronconio Township) has not identified any concerns relating to the public portion of Unity Avenue.</i>
Factor #3	The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;
Finding #3	<i>Given the dense vegetation on and surrounding the subject site, the large size of most of the neighboring parcels, the limited amount of development in the immediate area and the proposed setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to not cause undue negative impact nor deter future development.</i>
Factor #4	The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;
Finding #4	<i>The County finds that the proposed Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) uses are largely screened by vegetation and distance from all property boundaries and will, therefore, not have an adverse effect on adjacent properties. Further, the uses are proposed to be located in existing structures and the County finds no evidence to suggest that the structures have an appearance causing adverse effects upon adjacent properties.</i>
Factor #5	The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;
Finding #5	<i>The County finds that the Chisago County Zoning Ordinance allows Commercial Recreation Areas and Rural Retail Tourism as Conditional Uses in the AG District. In addition, Section 4.15 of the Chisago County Zoning Ordinance specifically encourages the development of Rural Retail Tourism with the following specific goals:</i> • <i>Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes.</i> • <i>To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy.</i> • <i>Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere.</i> • <i>Provide opportunities for new economic growth through Rural Retail Tourism businesses.</i> • <i>Assist the County's citizens in the transition from primarily agricultural land uses, to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago County.</i>

Factor #6	The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;
Finding #6	<i>See Finding #5.</i>
Factor #7	The proposed use will not cause traffic hazard or congestion; and
Finding #7	<i>It is anticipated that there will be an increase in traffic on Unity Avenue as guests arrive and depart from the subject site; however, neither the County Engineer nor the road authority (Franconia Township) expressed concerns with the proposal or related traffic impacts. Therefore, the County finds no evidence to suggest that the proposed use will cause traffic hazard or congestion on Unity Avenue or surrounding roadways.</i>
Factor #8	The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.
Finding #8	<i>Based on existing vegetation and distance, the County finds that the proposed uses will not intrude on surrounding properties by way of glare or general unsightliness. Further, the proposed uses will be located within existing structures and the County has received no evidence to suggest that the structures have had or will have adverse impact to nearby properties. Of the adverse impacts identified in Factor #8, the County believes that noise associated with the Rural Retail Tourism use (gathering venue) may be a potential concern to nearby properties / property owners; however, the County believes that limiting hours of operation will address the potential for intrusion of noise.</i>

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of Chisago County, Minnesota hereby recommends approval of the request for Conditional Use Permit Amendment, subject to the following conditions:

1. The original Conditional Use Permit for this property was granted by the Chisago County Board of Commissioners on June 1, 1989 and it granted approval of a Planned Unit Development involving the creation of eight parcels, including the subject parcel. This approval allows the subject property (Lot 3, Block 1, Cowles Farm Plat 3; PID 04.00537.23) to be used for Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) purposes in accordance with the application materials, including site plans and written narrative, dated received September 1, 2022. Any significant deviation, as determined by Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. The resort is limited to a maximum of 4 existing structures and 2 tent sites. The structures may be available for rent year-round and the tent sites shall only be available for rent Thursday through Sunday between April 1st and November 1st.
3. Prior to offering the tent sites for rent / use, they must be provided with sanitary facilities that comply with all applicable State of Minnesota Building and ISTS Codes.
4. If the existing outhouse is used in conjunction with the approved uses / available to resort and/or gathering venue guests, the outhouse must be converted to a vault toilet or connected to a septic system / holding tank.
5. The resort shall adhere to the strict observance of quiet hours from 10:00 pm to 7:00 am.
6. The permittee shall serve as caretakers of the subject site and shall be available to guests during all resort and gathering venue rental periods.

7. The gathering venue shall only be available for rent Thursday through Sunday between April 1st and November 1st. All events – and music, if any – must cease by 11:00 pm.
8. The maximum number of resort guests shall not exceed 24 at any given time, and the maximum number of gathering venue guests shall not exceed 125 at any given time. If the Chisago County Building Official determines that the gathering venue can accommodate fewer occupants, that number shall be the maximum number of guests at any given time.
9. All guest parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
10. The permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
11. Noise generated from any Commercial Recreation Area or Rural Retail Tourism uses, including musical performances, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No undue or objectionable noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace as so determined by any responding officer of the law.
12. Prior to converting the existing barn into a gathering venue, the permittees shall demonstrate that the structure complies with all of the requirements of the current State of Minnesota construction codes. Further, the structure shall be ADA compliant and be equipped with the required number of water closets, lavatories and sinks per the Minnesota Building Code. The permittees shall obtain all necessary building and/or septic permits prior to the conversion.
13. The permittee shall create a pre-incident emergency response plan and file it with the local fire department.
14. The permittee must notify the Chisago County Department of Environmental Services annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval.

Adopted by the Planning Commission of Chisago County, Minnesota, this 6th day of October, 2022.

James McCarthy _____
Frank Storm _____
John Sutcliffe _____

Dave Whitney _____
Jolene Wille _____
Chip Yeager _____

Jim McCarthy
Vice Chair

ATTEST: _____
Beth Gervais
Land Services Coordinator

CHISAGO COUNTY
PLANNING COMMISSION OFFICIAL PROCEEDINGS
October 6, 2022 - DRAFT

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, September 1, 2022 at the Chisago County Government Center.

Staff Present: Beth Gervais, Land Services Coordinator; Kurt Schneider, Environmental Services Director; and Diane Sander, Support Specialist.

Vice Chair McCarthy called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Board members was taken. Commission members present: Dave Whitney, James McCarthy, John Sutcliffe, and Frank Storm. Absent: Chair Chip Yeager (excused) and Jolene Wille (excused). Also present: Ex Officio County Commissioner Chris DuBose. A quorum was established with all members present except Chair Yeager and Wille.

Approval of Agenda – Motion by Dave Whitney to approve the agenda as presented; second by John Sutcliffe. The motion passed 4-0. Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

Approval of Minutes – Motion by Frank Storm to approve the September 1, 2022 Regular Meeting minutes and September 15, 2022 Special Work Session Meeting minutes as presented; second by John Sutcliffe. The motion passed 4-0. Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None. County Commissioner DuBose asked for a minor edit to the September 15, 2022 Special Work Session Meeting minutes as follows:

“Commissioner DuBose expressed concern about storage containers being utilized for building materials / as a dwelling and suggested that language be incorporated to prevent allow that specific use...”

Motion by Frank Storm to approve the amended September 15, 2022 Special Work Session Meeting minutes; second by Dave Whitney. The motion passed 4-0. Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

Receive all Materials and Submittals into Record - Motion by Dave Whitney to accept all materials and submittals into the record with one written public hearing comment on the Heinen Ordinance Amendment; second by John Sutcliffe. The motion passed 4-0. Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None. Materials distributed to the Planning Commission in advance of the meeting for their review included: staff reports with attachments and public hearing comment via Sunrise Town Board Meeting Minutes of August 18, 2022. Copies of all correspondence and meeting materials were made available for the public.

Public Hearings – New Applications

Robert Briscoe & Mary Everett and Fish Lake Lutheran Church – Coordinator Gervais provided a brief background on the request to Rezone two parcels from Rural Residential I (RRI) District to Agricultural (AG) District. The two parcels are located at 2785 Stark Road and 43353 Cedarcrest Trail, Fish Lake Township, S26, T36, R22 (PID# 03.00379.10 and 03.00400.00).

Property owners Robert Briscoe & Mary Everett and Fish Lake Lutheran Church and applicant Matthew Krousey requested their parcels be Rezoned from RRI District to AG District. The Briscoe & Everett parcel is 26.15 acres in size and the Fish Lake Lutheran Church parcel is 10 acres in size, totaling 36± acres. The Briscoe & Everett property is developed with a single family home and related detached accessory structures and the Fish Lake

Lutheran Church property is developed with a church, cemetery, parking areas, and detached accessory structures. The properties are located on the periphery of the RRI District near and adjacent to Fish Lake, Horseshoe Lake and Little Horseshoe Lake, abutting the AG District as well as the RVC District which includes the unincorporated Village of Stark.

The Rezoning was initiated by Matthew Krousey who owns the Briscoe & Everett property on a Contract for Deed; Krousey resides on the subject site and operates a pottery studio. Briscoe & Everett had submitted a building permit application earlier this year with the intent of expanding the pottery showroom, only to learn from the Department of Environmental Services that the RRI District does not allow for this particular business activity (Rural Retail Tourism). The building permit was denied, and the applicants were informed of possible remedies, one of which was a Rezoning. While the Briscoe & Everett property is immediately adjacent to the AG District – making a Rezoning more feasible; Rezoning of RRI District to AG District would leave the Fish Lake Lutheran Church property as an RRI District “island”. Therefore, the two property owners submitted a joint application for Rezoning. The Briscoe & Everett property would benefit from the Rezoning and staff believes the church would also benefit. Rezoning of the church property would allow additional detached accessory structures, increase the allowable amount of accessory storage space, and provide the same zoning classification as one of the church’s other two properties. The church has intentionally excluded the third parcel (PID 03.00404.00) from the Rezoning request. The Technical Review Committee met on September 14, 2022 and did not identify any concerns. The Fish Lake Town Board reviewed the proposed Rezoning at its September 12, 2022 meeting and recommend approval with no conditions. Applicant M. Krousey was present and available to address questions and concerns. Vice Chair McCarthy asked the applicant and Planning Commission members for additional questions and comments. M. Krousey indicated he would like to add a lean-to for storage of additional potting materials. His property is at the maximum accessory storage space in the RRI District without the lean-to. Frank Storm inquired on who initiated the application and Vice Chair McCarthy asked some clarifying questions on property boundaries.

Vice Chair McCarthy opened the public hearing and sought comment. With no persons wishing to speak, ***motion*** by Frank Storm to close the public hearing; second by Dave Whitney. ***Motion passed 4-0.*** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None. Vice Chair McCarthy asked Planning Commission members for additional comments. Vice Chair McCarthy asked staff a clarifying question on Rural Retail Tourism.

Motion by Frank Storm; second by John Sutcliffe to adopt Resolution No. PC2022-1001, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of the Rezoning of PIDs 03.00379.10 and 03.00400.00 from Rural Residential I (RRI) District to Agricultural (AG) District, with findings of fact as presented. ***Motion passed 4-0.*** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

Unity Farm LLC – Coordinator Gervais provided a brief background on a proposed Amendment to a Conditional Use Permit (CUP) in order to allow a Commercial Recreation Area and Rural Retail Tourism in the Agricultural (AG) District. The original CUP approved a Planned Unit Development (PUD) in 1989. The property is located at 29616 Unity Avenue, Franconia Township, S2, T33, R19 (PID# 04.00537.23).

Unity Farm LLC, represented by Fuller & Connee Cowles, requested a CUP Amendment in order to expand the CUP to include a Commercial Recreation Area and Rural Retail Tourism on a 17.56-acre property. The original CUP was approved in 1989 to create a PUD which allowed several deviations from the standard platting process and also allowed the owners to have more than one dwelling unit on seven of the eight newly created parcels. The current request specifically pertains to Lot 3, Block 1, Cowles Farm Plat 3 (29616 Unity Avenue). While the original CUP does not apply solely to the subject site, it does include it and staff recommended processing the new request as a CUP Amendment.

The Cowles are seeking approval of a CUP Amendment to allow a Commercial Recreation Area in order to operate a resort by renting four existing buildings (deckhouse, cottage, coop and roost) as well as two camping sites, and Rural Retail Tourism in order to operate a gathering venue (the barn) for celebrations and small corporate retreats. The Commercial Recreation Area and Rural Retail Tourism uses are proposed to be developed in two phases as follows and as provided in the staff report:

- Phase 1
 - Rental of two existing structures – the coop and the cottage:
 - The Coop – Accommodate up to four people, one bedroom with kitchen, parking near structure, and is 262' from the nearest property boundary.
 - The Cottage – Accommodate up to six people, two bedrooms, parking near structure, and is 226' from the nearest property boundary.
- Phase 2
 - Rental of two additional structures – the roost and the deckhouse:
 - The Roost – Accommodate up to two people, one bedroom, car in-only access, parking located near The Coop, and is 122' from the nearest property boundary.
 - The Deckhouse – Accommodate up to four people, One and a half bedrooms (sleeping loft), parking near structure, and is 134' from the nearest property boundary.
 - The four rental structures (Phase 1 & Phase 2) will accommodate a maximum of 16 people.
 - Rental of two camping sites
 - Located in the area of the softball field, approximately 250' from the nearest property boundary.
 - Property owner will provide two 20' x 20' wood decks and guests will provide their own tents that will sit on the wood decks.
 - Camping sites will only be offered in conjunction with rental of the barn (gathering venue).
 - Each site will accommodate up to four people.
 - Use of camping sites will follow same schedule as use of the barn (gathering venue) – April 1st – November 1st.
 - Guests will have access to the "outhouse" which is approximately 250'-300' away from property boundary.
 - Allow couples and small families to stay and enjoy a country retreat in a beautiful, relaxed setting.
 - The two camping sites will accommodate a maximum of 8 people.
 - Rental of the barn as a gathering venue
 - Structure is reported to accommodate up to 125 people.
 - "Rental sanitation" will be used to serve the gathering venue.
 - Host celebrations and/or small corporate retreats
 - Phase 2 is proposed to begin within five years (2027), after obtaining required approvals from the Minnesota Department of Health and complying with Minnesota Building Code occupancy standards.

The application materials offered the following additional information about the proposed CUP Amendment:

- The Commercial Recreation Area use (resort) will operate year-round.
- Quiet hours for the resort will be enforced between 10:00 pm and 7:00 am.
- All rental structures (resort) are served by septic systems.

- The Rural Retail Tourism use (gathering venue) will operate April 1 – November 1, with each rental period running from Thursday through Sunday. The camping sites will follow this same schedule.
- Music in conjunction with the gathering venue will not exceed 95 decibels and will decrease to 70 decibels at 10:00 pm and will cease by 11:00 pm.
- Neighbors will be notified prior to gathering venue events.
- The barn (gathering venue) will be served by “rental sanitation”.
- The site plan show three separate parking areas; total of 52 parking spaces with overflow parking.
- The site plans show a gravel-surfaced road system located within the subject site which appears to range in width from 11’ to 15’. The road appears to provide immediate emergency vehicle access to all structures with the exception of “the roost”. The roost is situated approximately 530’ from the nearest traversable road, at the end of an 8’ wide walking trail.
- Access to the site is gained from a private section of Unity Avenue.
- A dumpster is located onsite and additional trash receptacles will be added as needed.
- The 3-acre pond is available for fire equipment use and the property owners will post a pre-incident plan at the local fire hall.
- The site is surrounded by federal land, Lawrence Creek, and is in close proximity to Highway 8.
- The property owners maintain 65 acres of restored prairie land and pollinator ground cover, as well as a tennis court, large playfield, and mowed walking trails.
- Signs will be posted throughout the subject site to alert guests to the location of property boundaries and prevent trespassing onto neighboring properties.
- Fuller & Connee Cowles reside immediately east of the site and will serve as caretakers and be responsible for all maintenance.
- All of the structures proposed for rental (resort and gathering venue) currently exist. No new construction is proposed as part of this CUP Amendment.
- Based on the reported occupancy levels, the maximum number of guests (combination of resort and gathering venue) at any given time could be 149.

The Technical Review Committee met on September 14, 2022 and did not identify any concerns. However, following the committee meeting and pertaining to the proposed gathering venue, the Building Official provided information from the Minnesota Department of Labor and Industry (DLI) pertaining to “places of public accommodation” and concerns/requirements to be compliant with DLI, Americans with Disabilities Act (ADA) and Minnesota Building Code Chapter 29. The Building Official stated that the applicants will need to install at least one bathroom stall for women and one stall for men in the gathering venue, with both required to be ADA compliant. The applicants have been made aware of these requirements and intend to make all necessary improvements prior to opening the second phase of the project. The Franconia Town Board reviewed the proposed CUP Amendment at its September 22, 2022 meeting and recommend approval with no conditions. Applicants Fuller & Connee Cowles were present and available to address questions and concerns. Vice Chair McCarthy asked the applicants and Planning Commission members for additional questions and comments. F. Cowles stated he would like flexibility for use of the property. Commissioner DuBose asked if the applicants realized the calendar limitations to the proposed Rural Retail Tourism use (gathering venue) of April 1 – November 1. C. Cowles indicated the gathering venue use was intended for such activities as family reunions in warmer weather; currently they prefer not to host events in colder conditions. Dave Whitney commented that he appreciated the comprehensive application and care for the property.

Vice Chair McCarthy opened the public hearing and sought comment.

Michael Hanson - 29741 Unity Avenue, Franconia Township. I am a direct neighbor to the property and wondering if there will be any noise restrictions?

Rose Anderson – 27500 St. Croix Trail, Franconia Township. I own property across Hwy 8 and wondering if Ani Dagmar Kasten's CUP Amendment application for campsites had been approved. Coordinator Gervais confirmed it had been approved. R. Anderson noted traffic is a problem on Hwy 8.

Ani Kasten – 29815 Unity Avenue, Franconia Township. I am a direct neighbor and support the proposal. The Cowles are the most considerate and thoughtful neighbors I could ask to live next to. I support this endeavor which will bring the right sort of tourism into the neighborhood and benefit the neighborhood as a whole.

With no other persons wishing to speak, ***motion*** by John Sutcliffe to close the public hearing; second by Dave Whitney. **Motion passed 4-0.** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None. Vice Chair McCarthy asked Planning Commission members for additional comments.

Dave Whitney commented that proposed conditions #5 and #7 were not consistent with each other. Condition #5 states quiet hours start at 10:00 pm for the resort; however, Condition #7 states that quiet hours start at 11:00 pm for the gathering venue. Frank Storm pointed out that Condition #7 is for certain days and pertains specifically to the gathering venue. Dave Whitney suggested that the whole site should be quiet from 10:00 pm until 7:00 am; the timeframe for the two uses should be consistent. Dave Whitney recommended that Condition #7 (gathering venue) be changed to 10:00 pm to be consistent with the resort use. Frank Storm disagreed with the recommendation of changing Condition #7 since two different uses were being proposed. The resort (Commercial Recreation Area) is renting existing buildings for sleeping/camping and the gathering venue (Rural Retail Tourism) was intended for larger events. Vice Chair McCarthy supported music stopping at 10:00 pm and allowing use of the gathering venue until 11:00 pm, commenting that people can be quiet with no music. Director Schneider pointed out that other CUP applications have had specific conditions to establish indoor/outdoor hours and address outdoor/acoustic music. ***Motion*** by Dave Whitney to amend Condition #7 by requiring that music should cease at 10:00 pm rather than 11:00 pm; second by Vice Chair McCarthy. John Sutcliffe asked if the proposed amendment pertained to just outdoor music or both indoor/outdoor music. Coordinator Gervais indicated that the Planning Commission could establish specific parameters for all activities. John Sutcliffe noted he would support outdoor quiet time starting at 10:00 pm and allowing indoor activities until 11:00 pm. Dave Whitney rescinded his motion; Vice Chair McCarthy rescinded his second. ***Rescinded motion*** provides an opportunity for a new motion. ***Motion*** by John Sutcliffe to amend Condition #7 by requiring that outdoor activities cease at 10:00 pm and indoor activities cease at 11:00 pm; second by Frank Storm. **Motion passed 4-0.** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

Motion by Frank Storm; second by John Sutcliffe to adopt Resolution No. PC2022-1002, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of an Amendment to a Conditional Use Permit allowing a Planned Unit Development, Commercial Recreation Area and Rural Retail Tourism on property located at 29616 Unity Avenue (PID 04.00537.23) in Franconia Township, with Findings of fact as presented and amended conditions:

Conditions:

1. The original Conditional Use Permit for this property was granted by the Chisago County Board of Commissioners on June 1, 1989 and it granted approval of a Planned Unit Development involving the creation of eight parcels, including the subject parcel. This approval allows the subject property (Lot 3, Block 1, Cowles Farm Plat 3; PID 04.00537.23) to be used for Commercial Recreation Area (resort) and Rural Retail Tourism (gathering venue) purposes in accordance with the application materials, including site plans and written narrative, dated received September 1, 2022. Any significant deviation, as determined by Department of Environmental Services staff, shall require further review by the Planning Commission and

approval by the County Board of Commissioners.

2. The resort is limited to a maximum of 4 existing structures and 2 tent sites. The structures may be available for rent year-round and the tent sites shall only be available for rent Thursday through Sunday between April 1st and November 1st.
3. Prior to offering the tent sites for rent / use, they must be provided with sanitary facilities that comply with all applicable State of Minnesota Building and ISTS Codes.
4. If the existing outhouse is used in conjunction with the approved uses / available to resort and/or gathering venue guests, the outhouse must be converted to a vault toilet or connected to a septic system / holding tank.
5. The resort shall adhere to the strict observance of quiet hours from 10:00 pm to 7:00 am.
6. The permittee shall serve as caretakers of the subject site and shall be available to guests during all resort and gathering venue rental periods.
7. The gathering venue shall only be available for rent Thursday through Sunday between April 1st and November 1st. Gathering venue events shall observe quiet hours beginning at 10:00 pm for outdoor activities and 11:00 pm for indoor activities. All events ~~—and music, if any—~~ must cease by 11:00 pm.
8. The maximum number of resort guests shall not exceed 24 at any given time, and the maximum number of gathering venue guests shall not exceed 125 at any given time. ~~If the Chisago County Building Official determines that the gathering venue can accommodate fewer occupants, that number shall be the maximum number of guests at any given time.~~
9. All guest parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
10. The permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
11. Noise generated from any Commercial Recreation Area or Rural Retail Tourism uses, including musical performances, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No undue or objectionable noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace as so determined by any responding officer of the law.
12. Prior to converting the existing barn into a gathering venue, the permittees shall demonstrate that the structure complies with all of the requirements of the current State of Minnesota construction codes. Further, the structure shall be ADA compliant and be equipped with the required number of water closets, lavatories and sinks per the Minnesota Building Code. The permittees shall obtain all necessary building and/or septic permits prior to the conversion.
13. The permittee shall create a pre-incident emergency response plan and file it with the local fire department.
14. The permittee must notify the Chisago County Department of Environmental Services annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval.

Motion passed 4-0. Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

Public Hearings – Continued Hearings - None

282 **Old Business**

283 **Ordinance Amendment, Chisago County Zoning Ordinance No. 8.03** – Director Schneider provided a brief
284 overview of previous action of the review/edited draft ordinance amendments pertaining to Planning
285 Commission membership terms and residency location following redistricting of the County in 2022. Based on
286 the Commission's September 1, 2022 discussion and action, staff provided an updated draft for further review
287 and consideration. Vice Chair McCarthy asked Planning Commission members for additional comments. Dave
288 Whitney provided a recommended change to Section 8.03, C.2. (suggested change shown in red):
289

290 C.2. (Ordinance language in Staff Report October 6, 2022) In the event a County Commissioner District lacks
291 qualified nominees as determined by the County Commissioner seated in his or her respective District said
292 County Commissioner may nominate an alternative at-large resident from outside their District. (INSERT) *In*
293 *Districts 2 & 5, if qualified applicants from both an incorporated and un-incorporated area of the district apply,*
294 *the applicant from the un-incorporated area has priority.* (Ordinance language in Staff Report October 6, 2022)
295 All Commission appointment nominees shall require an affirmative majority vote of the County Board of
296 Commissioners to be seated.
297

298 Discussion followed regarding whether Dave Whitney's suggested change should apply to all districts rather than
299 only Districts 2 and 5. Frank Storm expressed disagreement with Dave Whitney's suggested change and stated
300 that he did not support the change based on his years of experience and living in an incorporated area. Storm
301 added that the suggested change would suggest that he would not be eligible for reappointment despite his
302 years of experience due to the fact that he resides in an incorporated area. Dave Whitney indicated that the
303 County Board would need to discuss qualifications. Frank Storm provided a scenario of three current Planning
304 Commission members, who are all qualified based on years of experience and who all reside in the same District,
305 questioning who would be selected as being the most qualified. Dave Whitney reiterated that the Planning
306 Commission considers land use applications for unincorporated/township areas, not incorporated areas.
307 Commissioner DuBose commented that the County Board has expressed a desire to encourage township
308 representation/participation as much as possible; however, County Commissioners would not want to give up
309 their ability to appoint their own Planning Commission representative. Commissioner DuBose added that the at-
310 large positions should be from the township; however, there are concerns with lack of applicants, lack of
311 qualifications, and incorporated status. Vice Chair McCarthy expressed concern with the Agricultural Zoning
312 District being a "dumping ground" for uses perceived to be undesirable. Extensive discussion continued with the
313 desire of township representation yet providing flexibility to fill positions for the Planning Commission. Director
314 Schneider noted that the draft ordinance language integrated the desired flexibility for a County Commissioner
315 to nominate an alternative at-large resident from outside their district if their District lacked a qualified
316 nominee. Commissioner DuBose commented that he did not think it would be so challenging to draft this
317 language, and offered support for the draft language provided in the October 6, 2022 Staff Report as long as the
318 County Commissioners from Districts 2 and 5 respect the desire to maintain township representation. **Motion** by
319 Dave Whitney; second by Vice Chair McCarthy to recommend approval of Dave Whitney's suggested change to
320 Section 8.03, C.2. A Roll Call vote was taken; **Motion failed** 2-2. Ayes: Whitney and Vice Chair McCarthy. Nays:
321 Sutcliffe and Storm. Frank Storm offered a recommended change to the draft ordinance language and
322 corresponding resolution included in the October 6, 2022 Staff Report, suggesting the removal of Section 8.03,
323 C.1. from the draft ordinance language and inserting said language into the draft resolution:
324

325 C.1. The terms of those members whose districts did not change as a result of the 2022 County Board
326 Commissioner District Plan shall continue until expiration on January 1 of the year following completion of their
327 original full 3-year term.
328

329 **Motion** by Frank Storm; second by John Sutcliffe to recommend approval of the draft ordinance pertaining to

Zoning Ordinance Section 8.03 and corresponding resolution as presented and with the suggested change to Section 8.03, C.1. **Motion passed 4-0.** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

Mike & Erica Heinen – Coordinator Gervais provided a brief overview of previous action on / the public hearing for the Heinen's proposed Ordinance Amendment, explaining that the Heinens are proposing to add "*Slaughterhouse and Meat Processing Facilities*" as a Permitted Use in the Agricultural (AG) District with specific performance standards relating to licensing and compliance with state and federal regulations, a maximum number of animal units processed each week, and a minimum lot size for said use. Gervais reminded the Commission that, during the September 1, 2022 Planning Commission meeting, Vice Chair McCarthy had requested a tour of a facility prior to making a recommendation and Frank Storm had suggested reviewing Sherburne County's ordinance language, and the Commission ultimately recommended that the County Board extend the review period by an additional 60 days. On September 21, 2022 the County Board took no action on the Planning Commission's recommended extension – after being advised by the County Attorney's Office that the proposed Ordinance Amendment was not subject to the 60-day rule – and encouraged by motion that the Planning Commission expeditiously provide the County Board with a recommendation. Coordinator Gervais concluded by stating that the applicants had not yet made arrangements for a facility tour; however, they have stayed in communication with staff on the progress of tour arrangements. Additionally, staff has provided Sherburne County Zoning Ordinance Section 16.1 General Standards for Slaughterhouse Activities for Planning Commission review.

Vice Chair McCarthy entered the submitted comment provided by the Sunrise Town Board into record.

Sunrise Town Board – 39135 Keystone Avenue, Sunrise Township. The August 18, 2022 Minutes discuss Erica and Mike Heinen's proposed ordinance amendment adding "*Slaughterhouse and Meat Processing Facilities*" as a Permitted Use in the Agricultural (AG) District. The Heinens want to process up to 20 animals a week. It is the consensus of the Sunrise Town Board that they support the Meat Processing Ordinance Amendment.

Vice Chair McCarthy asked Planning Commission members for additional questions and comments. Frank Storm recommended modeling Sherburne County's Ordinance along with the following two edits:

Subdivision 3: Regulations 2. The operation of a slaughterhouse or custom processing activity is allowed as an interim use only in the ~~Heavy Industrial, Industrial, and Commercial~~ Agricultural Zoning Districts.

Subdivision 4: Permitted Uses 1.a. On parcels of land at least ~~40~~ 20 acres in size located in the County's Agricultural District, ~~and or in the General Rural Zoning District....~~

Discussion followed on restricting the number of animals processed per day, size of facility in Agricultural District vs Commercial District, restricting the keeping of animals to indoors only, and freezer size correlated to number of processed animals on smaller 10 acre parcels. Director Schneider reviewed implications of Permitted Uses and Interim Use Permits (IUP). Frank Storm again suggested that staff utilize Sherburne County's Ordinance and draft a version that will suit Chisago County's needs. Discussion followed on allowing flexibility within the drafted ordinance language for number of animals processed, parcel size, allowing the proposed use as a Permitted Use but incorporating an IUP process for larger facilities. Vice Chair McCarthy suggested adding the use as a Permitted Use in the Commercial/Limited Industrial (CLI) District. Commissioner DuBose offered support for an ordinance to permit facilities and the flexibility for further review of an application that moves the request into an IUP/CUP review process. Commissioner DuBose also offered support for the ability of a facility to grow and expand into the CLI District. Director Schneider commented that both the Planning Commission and staff have offered support for allowing small scale meat processing facilities as a Permitted Use in the AG District and suggested that the Planning Commission may want to draft an ordinance allowing larger scale facilities as an IUP or CUP, adding that the larger scale facility ordinance could

377 be incorporated into the current Zoning Ordinance update effort. Vice Chair McCarthy reiterated his support
378 for a tour and taking additional time on a large scale facility ordinance.

379
380 **Motion** by Dave Whitney; second by John Sutcliffe to recommend approval of the proposed Ordinance
381 Amendment pertaining to slaughterhouse and meat processing facilities within the Agricultural (AG) District as
382 proposed and with the added performance standard requiring that all animals on-site for processing be
383 housed indoors; and, in addition, to recommend that staff draft a large scale slaughterhouse meat processing
384 facility ordinance. Frank Storm recommended an amendment to the motion requiring that the minimum lot
385 size be 20 acres rather than 10 acres. Deliberation followed on minimum lot size and allowing the use in the
386 CLI District. In regard to minimum lot size, Coordinator Gervais further explained that traditional agricultural
387 parcels are greater than ten acres and the increased acreage will aid in reducing potential negative impacts to
388 surrounding properties. **Motion Amended** by Dave Whitney; second by John Sutcliffe to recommend approval
389 of the proposed Ordinance Amendment pertaining to slaughterhouse and meat processing facilities within the
390 Agricultural (AG) District as proposed and with the added performance standard requiring that all animals on-
391 site for processing be housed indoors and the minimum lot size be 20 acres rather than 10 acres; and, in
392 addition, to recommend that staff draft a large scale slaughterhouse meat processing facility ordinance.
393 **Motion passed 4-0.** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None.

394
395 Director Schneider speculated and offered thoughts on draft language for larger scale slaughterhouse meat
396 processing facilities (processing more than 20 animals per week) with an enhanced IUP or CUP review process
397 and flexibility for expansion into the CLI and RVC Districts.

398
399 *Rose Anderson – 27500 St. Croix Trail, Shafer Township.* Anderson shared concerns that Cherry Hill Meat
400 Processing (located in the City of Taylors Falls) is not able to handle processing demand following the County
401 Fair. Anderson also offered support for small animal processing and the need for more slaughterhouse facilities
402 within the County.

403
404 **New Business – None**

405
406 **Communications and Reports**
407 **County Board Liaison Report / Update**

408 County Commissioner DuBose reported on the levy, upcoming labor discussions, and possible reduction of the
409 preliminary 6.89% levy. Commissioner DuBose stated that the County Board approved the Preliminary Plats of
410 SP Farms Plat One and North Dairy; renamed County Road 1 in Rush City in honor of County Commissioner Mike
411 Robinson; approved the 1W1P work plan; offered support for additional childcare programs in the northern part
412 of the county; and, purchased a truck for Public Works.

413
414 **Miscellaneous**
415 **MCIT Training Session: Navigating Key Land Use Issues**

416 Coordinator Gervais indicated that a group of Chisago County representatives – including herself, Planning
417 Commissioner Jolene Wille, Board of Adjustment & Appeals members Gregg Carlson and Becky Strand, and
418 County Commissioners Chris DuBose and Marlys Dunne – attended the September 14, 2022 training session in
419 St. Cloud. Commissioner DuBose commented that the training session was interesting and he believed the
420 question/answer time was most valuable. Short discussion was held on case studies from surrounding areas.
421 Commissioner DuBose shared that information pertaining to best practices for information sharing between
422 Board/Commission members was good and provided clear direction.

423
424

425 Vice Chair McCarthy asked clarifying questions on expectations of Planning Commission members following the
426 redistricting starting in 2023 in relation to the Zoning Ordinance update. Frank Storm stated that current
427 Commission membership would be able to continue to provide input and participate in the Zoning Ordinance
428 update but would not have voting privileges in regularly scheduled Planning Commission meetings.
429
430 **Adjourn Meeting – Motion** by Frank Storm to adjourn the meeting; second by John Sutcliffe. **Motion passed 4-**
431 **0.** Ayes: Whitney, Sutcliffe, Storm, and Vice Chair McCarthy. Nays: None. The meeting was adjourned at 8:31
432 p.m.

Chisago County Request For Board Action

Meeting Date: October 19, 2022	Item Number: 7
Title of Item for Consideration: Mike & Erica Heinen – Zoning Ordinance Amendment Slaughterhouse and Meat Processing as a Permitted Use in the Agricultural District	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services/Zoning - on behalf of the Chisago County Planning Commission
Previous Action on this Matter: On September 21, 2022, the County Board of Commissioners received this application and ordinance amendment request accompanied by a Planning Commission recommendation for 60-day extended consideration. Counsel advised that extension of consideration of this legislative matter is not necessary/appropriate and that County Board action on the matter would be premature until a Planning Commission recommendation is offered. By formal motion, the County Board expressed the expeditious nature in which they desired the Planning Commission formulate and forward its formal recommendation.	
Background: Mike and Erica Heinen are requesting that the County consider an Amendment to Chisago County Zoning Ordinance Section 3 Definitions and Section 5.06 Agricultural (AG) District, B. Permitted Uses to define and allow Slaughterhouse and Meat Processing Facilities within the Agricultural (AG) Zoning District. At their meeting of September 1, 2022, the Planning Commission conducted the requisite public hearing and recommend the review period of the proposed zoning text amendments be extended. On October 6, 2022, the Planning Commission continued its review of the proposed Ordinance Amendments and unanimously (4-0) recommended approval pursuant to and as presented within Commission Resolution No. PC2022-1003. An Ordinance of the Board of Commissioners adopting ordinance amendments consistent with that of the Planning Commission's recommendation is now presented for County Board consideration. Among the options for the County Board at tonight's meeting are the following: 1. Adopt the Recommendation of the Planning Commission to Approve the Zoning Ordinance Amendment request as outlined or as may be further amended and approved by the County Board at tonight's meeting (to be codified as part of the formal Ordinance Document publication and recording); 2. The County Board may deny the Zoning Ordinance amendment request stating such reasons for denial as part of the official record of decision (either as part of a motion to deny or as part of a failure of a motion to approve). Attachment(s): • Recommended Draft Ordinance Amendment Document • October 6th and September 1st Planning Commission Staff Report & Hearing Packet • Planning Commission Minutes (draft)	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board affirmatively consider the October 6, 2022, Chisago County Planning Commission recommendation to adopt Chisago County Zoning Ordinance Amendments to define and allow Slaughterhouse and Meat Processing Facilities within the Agricultural (AG) Zoning District. The suggested motion to approve this action is as follows:	

"Move to Adopt Ordinance No. _____, An Ordinance of the Board of Commissioners of Chisago County, Minnesota, Adopting Zoning Ordinance Amendments to Section 3 Definitions and Section 5.06 Agricultural District, B. Permitted Uses, and Section 5.06 Agricultural District, Section C. Conditional Uses, in order to define and allow Slaughterhouse and Meat Processing Facilities within the Agricultural Zoning District as presented"

Implications of Action: Recommended Board action changes the Chisago County Zoning Ordinance to define and allow Slaughterhouse and meat processing facilities provided minimum lot size and other performance criteria are met.

Budget/Financial Implications: None.

Legal/Policy Implications: The recommended Board consideration and action(s) are in conformity with generally accepted practices, procedures and interpretations of applicable state statutes and County ordinances and policies. Adoption of an ordinance amendment changes local policy/law on the subject matter presented.

Administrator's Recommendation

Approve _____

Deny _____

Other 

Motion By:

Seconded by:

To:

Action on Motion:

Aye _____

Nay _____

Abstain _____

CHISAGO COUNTY
STATE OF MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY,
MINNESOTA, ADOPTING AN ORDINANCE AMENDMENT PERTAINING TO
SLAUGHTERHOUSE AND MEAT PROCESSING FACILITIES WITHIN THE
AGRICULTURAL (AG) DISTRICT

Section 1. Chisago County Zoning Ordinance Section 5.06 states that the purpose of the AG District is to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas.

Section 2. Zoning Ordinance Section 5.06 expressly prohibits "custom processing or slaughter of animals" within the AG District.

Section 3. Mike Heinen & Erica Heinen, applicants, submitted a petition dated received August 1, 2022 and considered complete on August 3, 2022 for an Ordinance Amendment to Zoning Ordinance Section 5.06 Agricultural (AG) District, B. Permitted Uses and C. Conditional Uses in order to allow Slaughterhouse and Meat Processing Facilities as a Permitted Use subject to specific performance standards and retail sales of agricultural products as a Conditional Use.

Section 4. Notice was provided and on September 1, 2022 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant, and invited members of the public to comment

Section 5. On September 1, 2022 the Planning Commission tabled consideration of the petition for Ordinance Amendment in order to allow time to review related Zoning Ordinances for other counties and to work with the applicants to arrange a tour of an existing meat processing facility.

Section 6. On October 6, 2022 the Planning Commission continued its review of the proposed Ordinance Amendment and unanimously recommended approval per Resolution No. PC2022-1003.

Section 7. The Board of Commissioners considered the petition and the Planning Commission's recommendation at its October 19, 2022 meeting and made the following findings per Zoning Ordinance Section 8.08:

Factor #1 Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #1 *Both subject sites are developed – one for residential purposes and the other with a church and related functions (i.e., cemetery, parking areas, and detached accessory structures) – and there is no indication that the current uses are creating an excessive demand on public facilities or utilities. While the proposed Rezoning may allow for additional development (i.e., detached accessory structures), the County finds no indication that the principal uses of the sites will change or increase the demand on existing parks, schools, streets or other public facilities or utilities.*

Factor #2 Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

- Finding #2 The proposed Rezoning will adjust an existing zoning district boundary between the Rural Residential I (RRI) District, the Agricultural (AG) District, and the Rural Village Center (RVC) District. Being that the RRI, AG, and RVC Districts currently abut cohesively and being that the subject sites are already developed, the County finds that the proposed Rezoning will not cause undue negative impacts to the subject sites or neighboring properties or deter future development.*
- Factor #3 The amendment will not cause traffic hazard or congestion;*
- Finding #3 The subject sites have been developed for residential and church purposes. While each site generates a certain level of traffic (pottery tour and church functions), the County finds that the proposed Rezoning itself will have no impact on current or future traffic hazards or congestion.*
- Factor #4 The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and*
- Finding #4 The County finds that the proposed Rezoning meets the intent of the land use goals identified in Chapter 9 of the Comprehensive Plan by preserving the County's rural character and supporting compatible agricultural and rural residential development in the County.*
- Factor #5 The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.*
- Finding #5 The proposed Rezoning meets the intent of the land use goals identified in the Comprehensive Plan as described in Finding #4 above. Further, the County finds that the proposed Rezoning of Rural Residential I (RRI) District to Agricultural (AG) District meets the intent and purposes of the Zoning Ordinance in that the existing uses (residential and church facilities) meet the intent of the AG District and are compatible with the adjacent RRI and RVC Districts.*

Section 8. The Board of Commissioners of Chisago County, Minnesota hereby ordains that the Zoning Ordinance shall be amended as follows (deleted language shown ~~struckthrough~~; added language shown underlined):

SECTION 3 DEFINITIONS

Animal Units

As defined by Minnesota Rules, part 7020.0300 subpart 5.

Meat Processing Facilities

A business that slaughters animals and processes the meat for human consumption.

Processing Capacity

The maximum number of animal units that a facility is able to slaughter, hang, cut and package.

Slaughterhouse

A building establishment in which animals are slaughtered, eviscerated or dressed for human consumption.

103 **SECTION 5.06 AGRICULTURAL DISTRICT (A)**

104
105 **B. PERMITTED USES.**

106
107 16. Slaughterhouse and meat processing facilities:

- 108 a. Slaughterhouse and meat processing facilities shall be licensed and
109 regulated by the applicable Minnesota and federal governing bodies
110 and comply with all applicable state and federal health and safety
111 regulations.
- 112 b. Maximum processing capacity of no more than twenty (20) animal
113 units per week.
- 114 c. Minimum lot size of twenty (20) acres.
- 115 d. All animals on-site for processing shall be housed indoors.

116
117 **C. CONDITIONAL USES.**

- 118
119 5. Agriculture oriented businesses such as grain and feed sales, sawmills,
120 implement sales, implement repair and the processing, and packaging and
121 retail sales of agricultural products, ~~excluding the custom processing or~~
122 ~~slaughter of animals.~~

123
124 **Section 9.** This ordinance shall become effective upon its passage and publication.

125
126
127 Passed and approved this 19th day of October, 2022, by the Chisago County Board of Commissioners.

128
129
130
131
132 _____
133 Richard Greene
134 Chair, Board of Commissioners

135
136 ATTEST: _____
137 Chase Burnham
138 County Administrator

139
140
141
142 Published in the _____ this _____ day of _____, 2022.

143
144
145
146 Drafted by:
147 Chisago County Department of Environmental Services
148 313 N. Main Street, Suite 240
149 Center City, MN 55012

150
151 Reviewed and Approved to Form:
152
153 JANET REITER, COUNTY ATTORNEY
154 By: 
155 Jeffrey B. Fuge, Assistant County Attorney
156 Date: October 7, 2022
157



Staff Report

TO: Planning Commission
 FROM: Beth Gervais, Land Services Coordinator
 SUBJECT: Ordinance Amendment Pertaining to Slaughterhouse and Meat Processing Facilities
 DATE: October 6, 2022

ACTION TO CONSIDER

Following the September 1, 2022 public hearing, the Planning Commission will continue its review of a petition for Ordinance Amendment pertaining to Slaughterhouse and Meat Processing Facilities within the Agricultural (AG) District.

BACKGROUND

Mike & Erica Heinen petitioned the County for an Amendment to Zoning Ordinance Section 3 Definitions and Section 5.06 Agricultural (AG) District, B. Permitted Uses and C. Conditional Uses in order to define and allow Slaughterhouse and Meat Processing Facilities within the AG District. The Planning Commission conducted the requisite public hearing on September 1st and ultimately recommended that the County Board extend the 60-day review period in order to allow time for a tour and additional research.

Staff forwarded the Commission's recommendation to the County Board for consideration on September 21st and, prior to said meeting, the County Attorney's Office took note of the recommendation and prepared a legal memo (also presented to the County Board on September 21st) which advised that petitions for Ordinance Amendments are legislative in nature and not subject to the 60-day rule. Further, the County Attorney's Office advised that the County Board may only take action on petitions for Ordinance Amendments after the Planning Commission has provided a recommendation. The legal memo is attached for the Commission's reference. Ultimately, the County Board took no action on the Planning Commission's recommendation but encouraged by motion that the Commission expeditiously provide the Board with a recommendation.

During the Commission's September 1st meeting, Commissioner McCarthy introduced the idea of touring a facility or facilities prior to making a recommendation. Additionally, Commissioner Storm suggested reviewing ordinance language developed and used by Sherburne County.

The applicants chose to take the lead on coordinating a tour; however, at the time that this report was prepared the applicants had not yet made tour arrangements. The Heinens have stayed in contact with staff since the September meeting and have shared that they are identifying and contacting facilities, but, again, arrangements have not yet been made. Staff notes that there are slaughterhouse and meat processing facilities in and near Chisago County and encourages Commission members to visit these facilities if desired. An online search for facilities provided the following results:

- Cherry Hill Meat Processing – 530 Maple Street, Taylors Falls
- Isanti Custom Meats – 19 Main Street, Isanti
- Lutz Cuts Meat Processing – 7776 157th Street, Hugo

- Braham Custom Meat – 124 Central Drive W., Braham

Per Commissioner Storm's suggestion, staff has attached the Sherburne County regulations pertaining to slaughterhouse activities. Staff notes that Sherburne County allows the processing of one's own animals for personal consumption as a Permitted Use so long as the property is a minimum of 40 acres; however, commercial slaughterhouse and custom processing activities require approval of an Interim Use Permit (IUP). The attached Section 16.1 indicates that such facilities are only permitted in the Heavy Industrial, Industrial, and Commercial Zoning Districts; however, Sherburne County's Zoning Ordinance also shows the use as an Interim Use in the Agricultural District. Section 16.1 includes 16 standard conditions / performance standards (pages 3 – 4, a. – p.) but, as an IUP, additional conditions can be approved.

The draft findings of fact and staff recommendation provided below were presented to the Planning Commission on September 21st and they've been included once again in anticipation that the Commission may choose to take action on the petition. The September 1st staff report is also attached for reference.

AMENDMENT FINDINGS OF FACT

Zoning Ordinance Section 8.08 (Amendments and Rezoning) states that the Planning Commission shall consider possible effects of the proposed Ordinance Amendment based upon the following factors listed below. Staff has provided proposed findings, shown in *italics* below, for the Commission's consideration.

Factor #1 Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #1 *The proposed Ordinance Amendment itself will not create an excessive demand on existing public facilities and/or utilities. However, of the identified public facilities and utilities, the most likely impact of Slaughterhouse and Meat Processing Facilities will be an increased demand on county and township roads. The County finds that applying performance standards to limit the number of animal units allowed on a weekly basis will minimize the impact on roadways and will therefore not create an excessive demand.*

Factor #2 Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #2 *The proposed Ordinance Amendment itself cannot be evaluated in terms of compatibility with existing development. However, the County finds that the proposed use of Slaughterhouse and Meat Processing Facilities is a compatible use with the Agricultural (AG) District and meets the goals of the AG District.*

Factor #3 The amendment will not cause traffic hazard or congestion;

Finding #3 *The proposed Ordinance Amendment itself will not cause traffic hazard or congestion. It is possible that the proposed use of Slaughterhouse and Meat Processing Facilities will cause an increase in traffic; however, the County finds that applying performance standards to limit the number of animal units allowed on a weekly basis will minimize the impact on roadways and will therefore not cause traffic hazards or congestion.*

- Factor #4** The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and
- Finding #4** *The County finds that the proposed Ordinance Amendment is in keeping with the land use goals identified by the Comprehensive Plan and Zoning Ordinance, as described below in Finding #5. The County further finds that the proposed Ordinance Amendment will serve the greater community by improving the current demonstrated lack of meat processing facilities within the County and State, improve circumstances for both farmers and consumers, improve the local food supply, encourage agriculture related businesses, and add to the local economy.*
- Factor #5** The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.
- Finding #5** *The 2017 Chisago County Comprehensive Plan includes an entire chapter (Chapter 5 – Agricultural Element) devoted to agriculture. This chapter emphasizes the importance of agricultural uses, the economic role and impact of agricultural uses, and the need to support agricultural uses. The proposed use of Slaughterhouse and Meat Processing Facilities has a direct connection to traditional agricultural uses (i.e, farming) and is therefore consistent with the goals of the Comprehensive Plan. Further, the Zoning Ordinance provides a zoning district – the Agricultural (AG) District – that has an established goal of providing areas to be utilized for agriculture and agriculture related uses. The proposed use of Slaughterhouse and Meat Processing Facilities is an agriculture related use. The County finds that the proposed amendment is consistent with both the Comprehensive Plan and Zoning Ordinance.*

STAFF RECOMMENDATION

Staff believes that Slaughterhouse and Meat Processing Facilities, being agriculture related uses, are reasonable uses in the AG District but would recommend that the Planning Commission consider two variations from the applicants' proposed Amendment:

1. Staff recommends that the minimum lot size be 20 acres rather than 10 acres. This recommendation is based on the fact that any parcel created today with less than 20 acres is required to be platted and this type of use is not necessarily compatible with platted lots / rural residential areas. Additionally, traditional agricultural uses tend to be located on parcels greater than 10 acres in size. The larger lot size will also aid in reducing potential negative impacts to surrounding properties.
2. Staff recommends that the proposed performance standards (licensing, animal units, and acreage) be added to Zoning Ordinance Section 7 Performance Standards – as Section 7.32 Slaughterhouse and Meat Processing Facilities – rather than contained within Section 5.06 Agricultural District. This recommendation is based on the fact that performance standards for specific uses are located in Section 7 rather than within sections pertaining to individual zoning districts.

Barring any new or unknown evidence discovered after the completion of this report or during the course of the Commission's ongoing evaluations, **staff recommends approval of the Ordinance Amendment with the changes noted above and based on the draft Findings of Fact (above).**

Staff has not prepared a draft resolution, but, in the event that the Planning Commission takes action on the petition, a resolution will be drafted based on said action.

OPTIONS

1. Recommend that the County Board **approve** the Ordinance Amendment as presented or amended.

2. Should the Planning Commission determine that the proposed Ordinance Amendment does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Ordinance Amendment based on factors deemed appropriate. *(Note: The Commission will need to include specific finding(s) for denial in its motion, using Zoning Ordinance Section 8.08 for reference.)*
3. **Table** action to allow for submission of additional supporting documentation and/or further review and consideration.

ACTION REQUESTED

Continue review of the petition for Ordinance Amendment and provide direction or adopt a motion as deemed appropriate.

ATTACHMENTS

1. Staff report prepared for the September 1, 2022 Planning Commission meeting
2. Legal memo dated September 20, 2022
3. Sherburn County Zoning Ordinance Section 16.1

CC: Mike & Erica Heinen, applicants
County file



Staff Report

TO: Planning Commission
 FROM: Beth Gervais, Land Services Coordinator
 SUBJECT: Ordinance Amendment Pertaining to Slaughterhouse and Meat Processing Facilities
 DATE: September 1, 2022

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider an Ordinance Amendment pertaining to Slaughterhouse and Meat Processing Facilities within the Agricultural (AG) District.

APPLICATION INFORMATION

Applicant(s): Mike & Erica Heinen
 Date Application Received: August 1, 2022
 Date Application Complete: August 3, 2022
 60-Day Review Period: October 2, 2022

BACKGROUND

Applicants Mike & Erica Heinen are requesting that the County consider an Amendment to Zoning Ordinance Section 3 Definitions and Section 5.06 Agricultural (AG) District, B. Permitted Uses and C. Conditional Uses in order to define and allow Slaughterhouse and Meat Processing Facilities within the AG District.

Currently Zoning Ordinance Section 5.06 Agricultural (AG) District identifies *"Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair, and the processing and packaging of agricultural products, excluding the custom processing or slaughter of animals"* as a Conditional Use. This exclusionary clause prohibits custom processing of animals within the AG District, which is interpreted by staff to mean commercial processing; however, property owners do have the ability to slaughter and process their animals on their property for their personal consumption.

The explicit exclusion of custom processing or slaughter of animals is contained within the current Zoning Ordinance but is not contained within the 1997 or 1987 versions of the Zoning Ordinance. The County's original Zoning Ordinance, adopted in 1970, allowed such uses as processing and packaging of agricultural products, including livestock; slaughterhouses; and, rendering plants with approval of a Special Use Permit (now referred to as either a Conditional Use Permit or Interim Use Permit). It's unknown to staff why these uses were intentionally prohibited in the current Zoning Ordinance; however, there is speculation that reasons may have included negative impacts on septic systems and/or a method to curb non-traditional and/or illegal slaughter of animals.

PROPOSAL ANALYSIS

The Heinen's written narrative provides an overview of MN Department of Agriculture licensing options, examples of meat processing operations in other MN counties, a description of the regional impact of meat processing, and a proposal to allow Slaughterhouses and Meat Processing Facilities in Chisago

County. Ultimately, the Heinens are proposing to add "*Slaughterhouse and Meat Processing Facilities*" as a Permitted Use in the AG District with specific performance standards relating to licensing and compliance with state and federal regulations, a maximum number of animal units processed each week, and a minimum lot size for said use.

According to Zoning Ordinance Section 5.06, the purpose of the AG District is to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas. The applicants are proposing the following Ordinance Amendment (deleted language shown ~~struckthrough~~; added language shown underlined):

SECTION 5.06 AGRICULTURAL DISTRICT (A), B. PERMITTED USES

16. Slaughterhouse and meat processing facilities:

- a. Slaughterhouse and meat processing facilities must be licensed and regulated by the applicable Minnesota and federal governing bodies and comply with all applicable state and federal health and safety regulations.
- b. Maximum processing capacity of no more than twenty (20) animal units per week.
- c. Minimum lot size of ten (10) acres.

SECTION 5.06 AGRICULTURAL DISTRICT (A), C. CONDITIONAL USES

5. Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair and the processing and packaging of agricultural products, ~~excluding the custom processing or slaughter of animals.~~

In addition, the applicants are proposing that Section 3 be amended to include the following definitions (new language shown underlined):

SECTION 3 DEFINITIONS

Animal Units

As defined by MN Statutes, Definition 7020.0300 subparagraph 5.

Meat Processing Facilities

A business that slaughters animals and processes the meat for human consumption.

Processing Capacity

The maximum number of animal units that a facility is able to slaughter, hang, cut and package.

Slaughterhouse

A building establishment in which animals are slaughtered, eviscerated or dressed for human consumption.

In the event that the Planning Commission and Board of Commissioners do not support Slaughterhouse and Meat Processing Facilities as Permitted Uses but may consider such facilities as Conditional Uses,

the applicants are proposing an alternate option (deleted language shown ~~struckthrough~~; added language shown underlined):

SECTION 5.06 AGRICULTURAL DISTRICT (A), C. CONDITIONAL USES

5. Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair, and ~~the processing, and packaging and retail sales of agricultural products, excluding the custom processing or slaughter of animals that are licensed and regulated by applicable state and federal governing bodies.~~ implement repair, and the processing, and packaging and retail sales of agricultural products, excluding the custom processing or slaughter of animals that are licensed and regulated by applicable state and federal governing bodies.

To explain the reason for the proposed Ordinance Amendment, the attached written narrative states, *"Ranchers, especially small-scale, in the region, state and nation are looking at lead-times in excess of a year if they can find a slot at all. Lack of meat processing capacity means decreasing herd sizes and/or more expense to feed animals waiting for slaughter, which keeps available product lower and prices higher to local consumers. As a critical component to our food supply and economic health, meat processing is a necessary industry that creates jobs and revenue for Minnesota."* The written narrative further explains that the goal is to encourage businesses, especially small-scale businesses like farm-to-table operations, to add to the local economy and food supply chain.

As part of the review process, the Technical Review Committee met with the applicants on August 10th. The committee had a lengthy discussion with the applicants regarding Slaughterhouse and Meat Processing Facilities and impacts on septic systems / handling of sewage, land use impacts, and related state regulations.

The applicants' written narrative references a MN Department of Agriculture document titled "Starting a Minnesota Custom Exempt Meat Plant" ([Starting a Minnesota Custom Exempt Meat Plant \(state.mn.us\)](https://state.mn.us)). This 42-page document addresses all aspects of operating a custom exempt meat plant, including sewage disposal (pages 16-17). The document explains that sewage from meat plants can contain harmful bacteria and custom exempt establishments must meet the following requirements:

- Sewage must be disposed into a sewage system that is separate from all other drainage lines or disposed of through other means sufficient to prevent sewage backup into areas where product is processed, handled, or stored.
- Private disposal systems must have a letter of approval from the regulatory authority.

While there may be concerns with impacts to septic systems, staff notes that it is possible to design a system to accommodate this particular use. When considering the proposed Ordinance Amendment, it's necessary for the Planning Commission to evaluate potential land use impacts and potential impacts to public health, safety and welfare. The issue of septic systems is important but should not be a major factor in the Planning Commission's discussion or recommendation. Again, the Commission's focus should be on land use impacts, and the burden of designing and maintaining a compliant septic system should be placed on the landowner.

In regard to land use impacts and potential impacts to surrounding properties, the written narrative states that a Meat Processing Facility is not necessarily a retail facility (which requires a separate license from the State of MN). The applicants acknowledge that traffic will increase as ranchers drop off their animals and consumers pick up their processed meat, but they believe the increase of traffic will be minimal per their proposed performance standards. The written narrative further explains that *"Animals brought in for slaughter and processing services are typically only held for less than a day and holding pens are cleaned daily. Waste product produced inside the facility or outside is handled according to the*

MN Pollution Control Agency regulations. Essentially, Agricultural land is ideal for meat processing because it is already subject to animal sounds and smells and landowners have distance from each other. The rest of the concerns such as water, wastewater, and byproducts are regulated by state governing bodies such as the MN Dept. of Ag and Pollution Control Agency”.

In order to gain more perspective on the issue of Slaughterhouse and Meat Processing Facilities, staff spoke directly with the MN Department of Agriculture’s (MDA’s) Meat Program Manager who offered the following comments and resources:

- There are currently approximately 260 custom exempt licensed facilities in the State. Approximately one-half to two-thirds of these facilities are located in rural areas of the State.
- The demand for custom exempt facilities is large and only exacerbated by COVID-19. Since COVID-19, the State has licensed approximately 17 new facilities.
- MDA generally supports measures to increase the number of meat processing facilities but understands that Counties may have concerns about potential land use impacts.
- Much work is being done to better understand the “meat processing bottleneck” [Meat Processing Bottlenecks | Minnesota Institute for Sustainable Agriculture \(MISA\) \(umn.edu\)](#)
- Septic systems can absolutely be designed to accommodate Slaughterhouse and Meat Processing Facilities. MDA does not regulate these septic systems but is aware of methods used to design and maintain the life of systems. Ultimately, based on the investment required, it’s in the operator’s best interest to implement methods that will maintain and prolong the life of the system.
- If the County is considering allowing Slaughterhouse and Meat Processing facilities, the County may wish to consider the following factors: hours of operation, rendering plans, number of animal units per week, overnight holding facilities, traffic impacts, road maintenance and/or dust control measures, and adherence to MDA regulations.
- Muhl referenced Rice County as an example of a county that allows Meat Processing Facilities in the Agricultural District and identifies specific performance standards. The excerpt below is taken from the Rice County Zoning Ordinance.

507.04 Standards for Agricultural and Related Uses

- A. **Farm production.** In the RR and VMU Districts, farm production involving livestock is limited to one (1) animal unit per acre, up to a maximum of ten (10) animal units, and shall comply with the provisions of the Rice County Feedlot Ordinance.
- B. **Feedlot.** All feedlots shall comply with the provisions of the Rice County Feedlot Ordinance, and if required, regulations of the Minnesota Pollution Control Agency.
- C. **Agriculturally-oriented business**
 1. **Definition.** Agriculturally-oriented businesses shall be limited to the following:
 - a. Sales, handling and storage of agricultural supplies such as grain, feed, and fertilizer;
 - b. Agricultural equipment sales, storage and repair;
 -  c. Processing of agricultural products, including custom meat processing;
 - d. Livestock sales barns and accessory facilities
 - e. Commercial indoor storage within existing farm buildings
 - f. Production of ethanol and bio-diesel
 2. **Licensing and site plan required.** Rural business licensing and site plan approval shall be required; site plans shall indicate designated parking areas and signage, where present. Adequate off-street parking shall be as determined in the conditional use permit.
 3. **Outdoor storage.** Outdoor storage areas shall be screened from adjacent residences.
 -  4. **Custom meat processing.** All custom meat processing activities, including animal slaughter, shall take place within a completely enclosed building with adequate soundproofing and odor control and will meet all federal and state requirements for humane slaughter and meat inspection.

AMENDMENT FINDINGS OF FACT

Zoning Ordinance Section 8.08 (Amendments and Rezoning) states that the Planning Commission shall consider possible effects of the proposed Ordinance Amendment based upon the following factors listed below. Staff has provided proposed findings, shown in *italics* below, for the Commission's consideration.

Factor #1 Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #1 *The proposed Ordinance Amendment itself will not create an excessive demand on existing public facilities and/or utilities. However, of the identified public facilities and utilities, the most likely impact of Slaughterhouse and Meat Processing Facilities will be an increased demand on county and township roads. The County finds that applying performance standards to limit the number of animal units allowed on a weekly basis will minimize the impact on roadways and will therefore not create an excessive demand.*

Factor #2 Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #2 *The proposed Ordinance Amendment itself cannot be evaluated in terms of compatibility with existing development. However, the County finds that the proposed use of Slaughterhouse and Meat Processing Facilities is a compatible use with the Agricultural (AG) District and meets the goals of the AG District.*

Factor #3 The amendment will not cause traffic hazard or congestion;

Finding #3 *The proposed Ordinance Amendment itself will not cause traffic hazard or congestion. It is possible that the proposed use of Slaughterhouse and Meat Processing Facilities will cause an increase in traffic; however, the County finds that applying performance standards to limit the number of animal units allowed on a weekly basis will minimize the impact on roadways and will therefore not cause traffic hazards or congestion.*

Factor #4 The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and

Finding #4 *The County finds that the proposed Ordinance Amendment is in keeping with the land use goals identified by the Comprehensive Plan and Zoning Ordinance, as described below in Finding #5. The County further finds that the proposed Ordinance Amendment will serve the greater community by improving the current demonstrated lack of meat processing facilities within the County and State, improve circumstances for both farmers and consumers, improve the local food supply, encourage agriculture related businesses, and add to the local economy.*

Factor #5 The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.

Finding #5 *The 2017 Chisago County Comprehensive Plan includes an entire chapter (Chapter 5 – Agricultural Element) devoted to agriculture. This chapter emphasizes the importance of agricultural uses, the economic role and impact of agricultural uses, and the need to support agricultural uses. The proposed use of Slaughterhouse and Meat Processing Facilities has a direct connection to traditional agricultural uses (i.e., farming) and is*

therefore consistent with the goals of the Comprehensive Plan. Further, the Zoning Ordinance provides a zoning district – the Agricultural (AG) District – that has an established goal of providing areas to be utilized for agriculture and agriculture related uses. The proposed use of Slaughterhouse and Meat Processing Facilities is an agriculture related use. The County finds that the proposed amendment is consistent with both the Comprehensive Plan and Zoning Ordinance.

STAFF RECOMMENDATION

Staff believes that Slaughterhouse and Meat Processing Facilities, being agriculture related uses, are reasonable uses in the AG District but would recommend that the Planning Commission consider two variations from the applicants' proposed Amendment:

1. Staff recommends that the minimum lot size be 20 acres rather than 10 acres. This recommendation is based on the fact that any parcel created today with less than 20 acres is required to be platted and this type of use is not necessarily compatible with platted lots / rural residential areas. Additionally, traditional agricultural uses tend to be located on parcels greater than 10 acres in size. The larger lot size will also aid in reducing potential negative impacts to surrounding properties.
2. Staff recommends that the proposed performance standards (licensing, animal units, and acreage) be added to Zoning Ordinance Section 7 Performance Standards – as Section 7.32 Slaughterhouse and Meat Processing Facilities – rather than contained within Section 5.06 Agricultural District. This recommendation is based on the fact that performance standards for specific uses are located in Section 7 rather than within sections pertaining to individual zoning districts.

Barring any new or unknown evidence discovered after the completion of this report or during the course of the public hearing, **staff recommends approval of the Ordinance Amendment with the changes noted above** and based on the draft Findings of Fact (above). The attached draft resolution is based on staff's recommendation.

OPTIONS

1. Recommend that the County Board **approve** the Ordinance Amendment as presented or amended.
2. Should the Planning Commission determine that the proposed Ordinance Amendment does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Ordinance Amendment based on factors deemed appropriate. *(Note: The Commission will need to include specific finding(s) for denial in its motion, using Zoning Ordinance Section 8.08 for reference.)*
3. Recommend that the County Board **extend the review period** an additional 60 days to allow for submission of additional supporting documentation and/or further review and consideration, as allowed by Minnesota Statute 15.99. The current 60-day review period expires on October 2, 2022.

ACTION REQUESTED

Motion to adopt Resolution No. PC2022-0903, a resolution recommending approval of an Ordinance Amendment pertaining to Slaughterhouse and Meat Processing Facilities within the Agricultural (AG) District, as presented or amended.

ATTACHMENTS

1. Application materials
 - a. Application
 - b. Written narrative
2. Draft Resolution No. PC2022-0903

CC: Mike & Erica Heinen, applicants
County file

Permit #

2022-1448

PLANNING ADMINISTRATIVE FORM

Chisago County Department of Environmental Services

Recording Fee \$46-
Base Fee \$525-

Welland or Septic Fees _____

Plat Compliance Fee _____

TOTAL FEE 571.00

Street Location 36906 Vibo Cir Tax Parcel # 09.00370.00

Legal Description The NE quarter of the NE quarter of Section 32 Township 35 N, Range 26 W E-Mail Address: _____

Owner: Mike & Erica Heinen Day Phone _____

Address 36906 Vibo Cir, North Branch, MN 55056

Applicant (if other than owner) _____ Day Phone () _____

Address S 32, T 35, R 20

Type of Request: Variance ☐ Preliminary Plat ☐

Administrative Appeal ☐ Administrative Permit ☐

Conditional Use Permit ☐ Ordinance Amendment ☒
(or amendment to CUP)

Interim Use Permit ☐ Rezoning ☐
(or amendment to IUP)

Applicable section of ordinance: Section 5.06, Agricultural District, C, line 6

Description of request: Please see attached proposal

If Variance Application, Brief
Description of Practical
Difficulty _____

Signature of Applicant _____

Date of Application _____

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

8-1-22
Date Received

8-3-22
Date Complete

10-2-22
60 / 120 Day Review Period

Date of Public
Hearing: _____

Sept. 1, 2022

Ordinance Proposal for Meat Processing in Chisago County

Overview

The 2008 Zoning Ordinances currently have a sentence pertaining to meat processing in Chisago County in the Permitted Conditional Use section of Agricultural Zoning (reference Section 5.06 Agricultural District (A), C.6) that reads:

"Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair and the processing and packaging of agricultural products, excluding the custom processing or slaughter of animals."

The first reaction to this sentence is to conclude that all meat processing is not permitted on Ag-zoned land, whether regulated or not - livestock or wild game, fish, ducks or chickens. No animals. Without a definition for "custom processing" or specifics on animals, this ordinance as it is leaves the reader with many questions.

Part of the purpose of this proposed ordinance amendment is to educate on meat processing in general - the industry, the need, the governing agencies and regulations, and the facility structure and impact.

First of all, the main governing body for meat processing facilities in the state of Minnesota is the Department of Agriculture. The Dept. of Ag provides guidance in establishing and maintaining meat processing facilities and requires various degrees of licensing depending on the intended consumer of the end products. Briefly, here is a short overview of the 3 types of licensing from the MN Dept. of Ag (Source:

<https://www.mda.state.mn.us/food-feed/starting-meat-poultry-processing-business>):

1. Custom Exempt Processors

A custom meat processor is defined in state and federal law as a plant that does not require continuous inspection because they only process meat for the owner of the animal. The meat, poultry, or wild game cannot be sold and can only be consumed by the owner, the owner's immediate family, and non-paying guests. Custom processed meat must be identified "NOT FOR SALE". Businesses that operate under this exemption are inspected by the State Inspection Programs or by FSIS/USDA on a regular basis. However, inspections of these operations are conducted less frequently than operations under continuous inspection.

According to Meat Program Manager, Levi Muhl, the MN Dept. of Ag recommends all new meat processors start with this license and transition to Equal To (E2) or USDA inspected facilities as they gain experience.

Also addressed is Wild Game Processing which is also considered a custom exempt meat processing operation that may need to obtain a license and custom exempt plant permit, allowing them to process wild game and fowl for the owners of those products.

2. Equal To

Minnesota state "equal to" (E2) plants can produce and process meat and poultry products for wholesale within the state; these plants are under continuous inspection by the Minnesota Meat and Poultry Inspection Program. Minnesota is one of 27 states with a Meat and Poultry Inspection Program considered at least equal to the federal meat and poultry inspection program of the United States Department of Agriculture (USDA). Establishments in Minnesota's "Equal To" (E2) program operate under the requirements as set by the Federal Meat Inspection Act or the Poultry Products Inspection Act.

3. USDA

Businesses that want to produce and sell their products in other states and/or for export to other countries must be inspected by the United States Department of Agriculture (USDA) Food Safety and Inspection Service (FSIS). These businesses may slaughter their own animals or purchase their products from other FSIS/USDA inspected sources and further process these products under continuous inspection.

Meat Processing in MN

The MN Dept. of Ag offers a 42-page document titled "Starting a Minnesota Custom Exempt Meat Plant" that offers guidance on business planning; building and plumbing plans; well and septic requirements; facilities, equipment, and sanitation; and other regulatory requirements such as record keeping, product labeling and product storage. Inspectors and other personnel make themselves available for questions and information throughout the planning, building, and start-up processes and beyond. They have already been a remarkable resource.

The number changes often, especially with the state and federal governmental push to expand meat processing, but there are currently 254 custom exempt licensed facilities, 28 E2 slaughter plants, 28 E2 processing plants (no slaughter), and 164 USDA inspected facilities in the state of MN (these facilities include poultry and egg). Each of these facilities not only has to comply with MN Dept. of Ag regulations, but regulations set forth by the MN Pollution Control Agency for septic and wastewater management and the MN Board of Animal Health for carcass and by-product disposal.

The Dept. of Ag does not have data to divide the rural and commercially located facilities, so further research was done to see what a small rural, well and septic, meat processing facility looked like in other regions of the state. The following is a list of just a few rural facilities and their respective capacity and county jurisdiction.

Business Name	Animal Capacity (units of cattle)	County
Wild Hog Meats	9-11 per week	Isanti
Bergen Meats	9 per week	Jackson
Sherpsky Meat Processing	15 per week	Wadena
PStar Meats	12 per week	Redwood
Brent's Butchering	10 per week	Aitkin

These facilities have similar characteristics to the facility planned by Heinen Farm & Ranch (especially that they are all rural and on well and septic) and one, Wild Hog Meats in Princeton, allowed a visit to gather information and ask questions about their processes and facility.

Set back off of MN County Rd 5 NW in Princeton, MN, Wild Hog Meats operates under an Interim Use permit in a building that combines their residence with the meat processing. Owner Dean Sundeen has a mobile slaughter unit which he takes to the customer's ranch and brings back beef quarters (or halves of hogs) for processing. Once the meat is brought into the facility, it hangs in the 12' x 14' meat cooler for 10 days (beef) and is then ready for cutting, further processing and packaging in a separate room (about 16' x 14'). With a Custom Exempt license from the MN Dept of Ag, Wild Hog is inspected a minimum of quarterly and keeps all records needed for the inspector. Though not a state-of-the-art facility, they are able to process 9-11 animal units per week and even offer services such as grinding (standard for most facilities), smoking, and sausage making. They have a private well and septic that service the home and business portions and have a rendering service that picks up animal by-products weekly. The owners of Wild Hog have never had an infraction and are to capacity with work for returning customers. According to Trina Bergloff in the Isanti County Zoning Dept., meat processing is permitted on Ag land with an Interim Use permit under "Extended home occupation", which is the permit Wild Hog is under. In addition, Mrs. Bergloff advised that in October 2021 an ordinance was passed (proposed by a citizen) that allowed for Slaughterhouses on Ag land (see Appendix A).

Most other rural facilities in the state of MN offer on-site slaughter and either compost by-products or have them taken out by a rendering service. Heinen Farm & Ranch is planning for on-site slaughter, a capacity of 10-20 beef animal units per week (cattle and pigs, where 2 pigs = 1 cow) and a rendering service for animal hides and by-product collection. We are working with Boettcher Excavating & Septic in Cambridge, MN on design, installation and maintenance of the

septic and water treatment systems, as they are certified by the MN Pollution Control Agency for these services and will ensure everything is to code. Rendering services would be performed by Sanimax with a plant in S. St. Paul, MN (see Appendix B). There are several ways to accomplish the same goal in this industry. What's important is to meet or exceed the requirements of the governing bodies.

Another facility, PStar Meats in Clements MN, has been in operation for 3 years and started as a butcher for his own as well as friends' and families' animals because he was unable to find availability at regional processors. Located in Redwood County, he also had to work with the county to gain the ability to butcher on his rural land. As a result of his efforts, Redwood County recognized the need and currently has Draft Ordinances that include livestock processing on Ag land under a Conditional Use Permit (Source: <https://redwoodcounty-mn.us/departments/environmental-office/draft-redwood-county-zoning-or-dinance/>) . More and more, the subject of meat processing is causing counties to reevaluate and update regulations. Sherburne County, in fact, has a separate document for slaughterhouse activities that defines "animal", "custom processing", "custom processor", "meat food product" and "slaughter house". Unfortunately for that county, the Slaughterhouse Activities Ordinance 1. Ignores the effectiveness of small scale operations in slaughter and processing operations 2. Sets them up to have to establish and enforce a slew of regulations concerning odors, noise, traffic and waste disposal even for operations processing even 1 animal per day and 3. Focuses only on non-inspected facilities calling them "custom processors" without acknowledging licensed custom exempt processors who are under intermittent inspection by the Mn Dept of Ag. In effect, they have created conditions that would allow only large scale processors to consider jumping through the hoops to operate in their county.

Regional Impact of Meat Processing

Ranchers, especially small-scale, in the region, state and nation are looking at lead-times in excess of a year if they can find a slot at all. Lack of meat processing capacity means decreasing herd sizes and / or more expense to feed animals waiting for slaughter, which keeps available product lower and prices higher to local consumers. As a critical component to our food supply and economic health, meat processing is a necessary industry that creates jobs and revenue for Minnesota.

As an illustration of the regional meat processing shortage, we called four processors to process 4 beef cattle (In early May 2022) and this was the response:

Cherry Hill Meat Processing - No bookings available / Not taking new customers

Deutschland Meats - Was not interested in taking on any more meat processing

Lutz Cuts Meat Processing - Booked out until April 2023 and not taking new customers

The Hungry Farmer Meat Co. - Availability for February 2023

Each of these establishments welcomed a new meat processor in the area - they are overwhelmed. We are looking to ease that burden by building a small facility on our 120 acres in Sunrise Township.

Obviously, the positive impact of meat processing on the local economy and food supply chain is substantial. But, drilling down to a smaller scale, what is the immediate impact of a meat processing facility on Ag land?

First, it is important to note that the size of the facility dictates the capacity. The cooler is where the meat spends the most time prior to processing, therefore the square footage of the cooler will ultimately limit the number of animals that can be slaughtered and hung. Heinen Farm & Ranch plans for a maximum capacity of 20 cattle units (2 hogs = 1 cow unit) per week.

What about traffic, odor and noise? A meat processing facility is not necessarily a retail facility - that is a separate license. Traffic certainly increases to a small degree as ranchers drop off their animals and consumers pick up their processed meat. Remember, a licensed custom exempt facility can not sell the meat they process - they are only offering the service. The rancher is the one selling "shares" via private treaty of their animal. An E2 or USDA facility can sell to the public (E2 can sell only to MN consumers). This requires an additional license and can be done by internet sales or a retail location, which is subject to another round of local, state and federal laws. Animals brought in for slaughter and processing services are typically only held for less than a day and holding pens are cleaned daily. Waste product produced inside the facility or outside is handled according to the MN Pollution Control Agency regulations. Essentially, Agricultural land is ideal for meat processing because it is already subject to animal sounds and smells and land owners have distance from each other. The rest of the concerns such as water, wastewater, and byproducts are regulated by state governing bodies such as the MN Dept. of Ag and Pollution Control Agency.

Proposal

We are asking Chisago County's governing bodies to review, research and rewrite the ordinance(s) that govern the business of meat processing. We, Mike and Erica Heinen, have excellent technical resources to share as well as individuals with real world knowledge and experience. We can set up a facility tour with an existing operation in MN, bring in MN Dept of Ag inspectors and program managers and will do whatever else helps to make sense of the subject.

What we are asking today is to consider the following ordinance amendment:

In Section 5 (Zoning Districts), Subsection 5.06 (Agricultural District), C. (Conditional Uses), Line 6, change to:

"Agriculture oriented businesses such as grain and feed sales, sawmills, implement

sales, implement repair and the processing, packaging and retail sales of agricultural products." *(NOTE: Please consider how this language interacts and affects the MN Cottage Food Producer Laws and other applicable state and federal laws.)*

In Section 5 (Zoning Districts), Subsection 5.06 (Agricultural District), B. (Permitted Uses), add Line 16:

"16. Slaughterhouse and meat processing facilities

- a. Slaughterhouse and meat processing facilities must be licensed and regulated by the applicable Minnesota and federal governing bodies and comply with all applicable state and federal health and safety regulations.
- b. Maximum processing capacity of no more than 20 animal units per week.
- c. Minimum lot size of 10 acres"

In addition, the Definitions section will need updating to include definitions for:

Slaughterhouse - A building establishment in which animals are slaughtered, eviscerated or dressed for human consumption.

Meat processing facilities - A business that slaughters animals and processes the meat for human consumption.

Animal units - As defined by MN Statutes, Definition 7020.0300 subparagraph 5.

Processing capacity - The maximum number of animal units that a facility is able to slaughter, hang, cut and package.

Alternately, please consider leaving meat processing in the Conditional Use section with language such as:

"Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair and processing, packaging and retail sales of agricultural products that are licensed and regulated by applicable state and federal governing bodies."

Ultimately, we believe the goal is to encourage businesses, especially small scale like farm-to-table operations, to add to our economy and food supply chain. We hope that we've helped in understanding the process and we welcome questions and further discussion.

THANK YOU FOR YOUR TIME AND CONSIDERATION

Appendix A
Pg. 1

A498206

Fees: \$0

Pages: 2

Isanti County Office of

Recorder/Registrar of Titles

Certified, Filed, and/or Recorded on:

November 17, 2020 8:34 AM

Karen M Long Recorder

Well Cert. ☐ Rec'd ☐ Not Req'd

Received from: ISANTI COUNTY ZONING

Returned To: ISANTI COUNTY ZONING

555 18TH AVE SW

CAMBRIDGE, MN 55008

NOTICE IS HERBY GIVEN that the Isanti County Board of Commissioners took action at a public hearing on October 21, 2020, to make the following amendment to the Isanti County Zoning Ordinance as it relates to a Slaughterhouse.

The ordinance as amended will read as follows:

Section 4 Rules and Definitions

Subdivision 2. Definitions

Slaughterhouse. A building establishment in which animals are slaughtered, eviscerated, or dressed for human food.

Section 6 Agriculture District

Subdivision 4. Interim Uses

#18. Slaughterhouse

- a. Owner/operator must reside on the premises and have homestead status.
- b. Minimum lot size of ten acres.
- c. Slaughtering of livestock including the harvested waste must take place indoors inside a closed building and the harvested waste must be properly composted onsite or offsite disposal via a licensed rendering company.
- d. Must adhere to licensure requirements from the Minnesota Department of Agriculture and US Department of Agriculture.
- e. The facility must obtain/maintain all necessary federal, state and county licenses and approvals and comply with all state and federal health and safety regulations.
- f. Animal holding areas must be compliant with Minnesota Pollution Control regulations.

Appendix A
pg. 2

Adopted by the Isanti County Board of Commissioners on the 21st day of October 2020.



A handwritten signature in cursive script, appearing to read "Julie Lines", written over a horizontal line.

Julie Lines

Isanti County Administrator



Appendix B
Pg. 1

Proud to transform it all

7/27/2022

To: Whom it may Concern

From: Sanimax-South Saint Paul

Re: Heinen Farm and Ranch LLC rendering service

Please be advised that Sanimax will provide inedible rendering service to Heinen Farm and Ranch LLC in North Branch, MN. The material Sanimax will pick up at this location is not for human consumption. The material we will collect for rendering includes animal harvest biproduct and fat & bone trim from processing. The intent is to service the location weekly on harvest day collecting animal harvest biproduct. An additional weekly service for fat & bone trim can also be done. Sanimax also intends to collect beef hides from the animals harvested at Heinen Farm and Ranch LLC.

Our facility is located in South Saint Paul, MN and is licensed by the Minnesota Board of Animal Health.

After processing, the finished products we produce from these by-products are classified as inedible and not for human consumption; but are used in the oleo-chemical, feed, and fuel industries.

If you have any questions or need further information, please feel free to contact me.

Thank You,

Please find attached current Sanimax Renderer License.

Larry Heacock
Procurement Account Manager



Proud to transform it all

www.sanimax.com

Permit Number: **MN 143286**

SANIMAX

located at 505 Hardman Ave in South St. Paul, Dakota Co., MN has permission to engage in the following within the state of Minnesota for a period of one year ending June 30, 2023:

- ☒ Rendering animal carcasses
- ☒ Rendering by-products of animals, including scraps and grease
- ☒ Hauling carcasses or renderable by-products over public roads
- ☒ Contract with business(es) for hauling
- ☐ Collecting/reload station
- ☐ Fur Farm
- ☐ Pet food processing
- ☒ Haul for private producer(s)/owner(s)

It is the responsibility of the above named facility to fully comply with all applicable MN statutes and rules.

June 30, 2022
Issue Date

Brian J. Hoefs, DVM
Brian Hoefs, DVM
Authorized Official

RESOLUTION NO. PC2022-0903

**A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF AN ORDINANCE AMENDMENT PERTAINING TO SLAUGHTERHOUSE
AND MEAT PROCESSING FACILITIES WITHIN THE AGRICULTURAL (AG) DISTRICT**

WHEREAS, Chisago County Zoning Ordinance Section 5.06 states that the purpose of the AG District is to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas; and

WHEREAS, Zoning Ordinance Section 5.06 expressly prohibits “custom processing or slaughter of animals” within the AG District; and

WHEREAS, Mike Heinen & Erica Heinen, applicants, submitted an application dated received August 1, 2022 and considered complete on August 3, 2022 for an Ordinance Amendment to Zoning Ordinance Section 5.06 Agricultural (AG) District, B. Permitted Uses and C. Conditional Uses in order to allow Slaughterhouse and Meat Processing Facilities as Permitted Uses subject to specific performance standards; and

WHEREAS, notice was provided and on September 1, 2022 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant, and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Amendments and made the following findings per Zoning Ordinance Section 8.08, D.:

Factor #1 Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #1 *The proposed Ordinance Amendment itself will not create an excessive demand on existing public facilities and/or utilities. However, of the identified public facilities and utilities, the most likely impact of Slaughterhouse and Meat Processing Facilities will be an increased demand on county and township roads. The County finds that applying performance standards to limit the number of animal units allowed on a weekly basis will minimize the impact on roadways and will therefore not create an excessive demand.*

Factor #2 Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #2 *The proposed Ordinance Amendment itself cannot be evaluated in terms of compatibility with existing development. However, the County finds that the proposed use of Slaughterhouse and Meat Processing Facilities is a compatible use with the Agricultural (AG) District and meets the goals of the AG District.*

Factor #3 The amendment will not cause traffic hazard or congestion;

Finding #3 *The proposed Ordinance Amendment itself will not cause traffic hazard or congestion. It is possible that the proposed use of Slaughterhouse and Meat Processing Facilities will*

cause an increase in traffic; however, the County finds that applying performance standards to limit the number of animal units allowed on a weekly basis will minimize the impact on roadways and will therefore not cause traffic hazards or congestion.

Factor #4 The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and

Finding #4 *The County finds that the proposed Ordinance Amendment is in keeping with the land use goals identified by the Comprehensive Plan and Zoning Ordinance, as described below in Finding #5. The County further finds that the proposed Ordinance Amendment will serve the greater community by improving the current demonstrated lack of meat processing facilities within the County and State, improve circumstances for both farmers and consumers, improve the local food supply, encourage agriculture related businesses, and add to the local economy.*

Factor #5 The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.

Finding #5 *The 2017 Chisago County Comprehensive Plan includes an entire chapter (Chapter 5 – Agricultural Element) devoted to agriculture. This chapter emphasizes the importance of agricultural uses, the economic role and impact of agricultural uses, and the need to support agricultural uses. The proposed use of Slaughterhouse and Meat Processing Facilities has a direct connection to traditional agricultural uses (i.e, farming) and is therefore consistent with the goals of the Comprehensive Plan. Further, the Zoning Ordinance provides a zoning district – the Agricultural (AG) District – that has an established goal of providing areas to be utilized for agriculture and agriculture related uses. The proposed use of Slaughterhouse and Meat Processing Facilities is an agriculture related use. The County finds that the proposed amendment is consistent with both the Comprehensive Plan and Zoning Ordinance.*

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of Chisago County, Minnesota hereby recommends approval of the request for Ordinance Amendment as follows (deleted language shown ~~struck through~~; added language shown underlined):

SECTION 3 DEFINITIONS

Animal Units

As defined by MN Statutes, Definition 7020.0300 subparagraph 5.

Meat Processing Facilities

A business that slaughters animals and processes the meat for human consumption.

Processing Capacity

The maximum number of animal units that a facility is able to slaughter, hang, cut and package.

Slaughterhouse

A building establishment in which animals are slaughtered, eviscerated or dressed for human consumption.

SECTION 5.06 AGRICULTURAL DISTRICT (A), B. PERMITTED USES

16. Slaughterhouse and meat processing facilities in accordance with Section 7.32.

SECTION 5.06 AGRICULTURAL DISTRICT (A), C. CONDITIONAL USES

5. Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair and the processing and packaging of agricultural products, ~~excluding the custom processing or slaughter of animals.~~

SECTION 7 PERFORMANCE STANDARDS

7.32 Slaughterhouse and Meat Processing Facilities

A. Purpose.

The purpose of this Section is to allow for slaughterhouse and meat processing facilities to be established in appropriate area and developed in a manner as to not adversely impact surrounding land uses and the public safety.

B. Performance Standards.

1. Slaughterhouse and meat processing facilities must be licensed and regulated by the applicable Minnesota and federal governing bodies and comply with all applicable state and federal health and safety regulations.
2. Maximum processing capacity of no more than twenty (20) animal units per week.
3. Minimum lot size of twenty (20) acres.

Adopted by the Planning Commission of Chisago County, Minnesota, this 1st day of September, 2022.

James McCarthy _____
Frank Storm _____
John Sutcliffe _____

Dave Whitney _____
Jolene Wille _____
Chip Yeager _____

Chip Yeager
Chair

ATTEST: _____
Beth Gervais
Land Services Coordinator



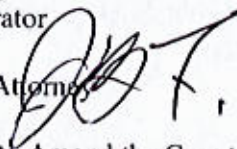
Office of the Chisago County Attorney
Janet Reiter, County Attorney

313 North Main Street, Suite 373
Center City, MN 55012
Phone (651) 213-8400
Facsimile (651) 213-8401

LEGAL MEMO

September 20, 2022

To: Commissioner Rick Greene, County Board Chair
Chase Burnham, County Administrator

From: Jeffrey B. Fuge, Assistant County Attorney 

Re: Petition of Mike and Erika Heinen to Amend the County's Zoning Ordinance to Allow
Slaughterhouse and Meat Processing as Permitted Uses in Agricultural District
County Board Meeting, September 21, 2022 – Agenda Item 9

Chairman Greene and Administrator Burnham:

The County Attorney's Office provides this legal to outline those actions that the County Board has legal authority to take at its September 21, 2022 meeting regarding the proposed amendment to the Zoning Ordinance as petition for by Mike and Erika Heinen. Before turning to that discussion, it is helpful to discuss those actions which the County Board has no authority to take at the present time and any actions that are unnecessary or not required by state law or the County's Zoning Ordinance.

1. Taking up the proposed amendment is legally premature.

The County Board does not have authority to take up at the September 21, 2022 meeting the proposed amendment to the County Zoning Ordinance as initiated by Mike and Erika Heinen. Because the proposed amendment was brought by a petition to amend the Zoning Ordinance, rather than being initiated by either the County Board or Planning Commission, state law requires the Planning Commission to provide a recommendation on the proposed amendment before the County Board may lawfully act to either amend the Zoning Ordinance as petitioned or deny the petition. Taking action on the proposed amendment to the Zoning Ordinance at the September 21, 2022 meeting is legally premature.

2. It is unnecessary for the County Board to consider the Planning Commission's request to extend the time to decide on the proposed amendment.

Similarly, it is unnecessary for the County Board to take action to extend the time for making a decision on the proposed amendment requested by the Heinen's. The law does not require a

county board to decide a petition brought by a landowner to amend a zoning ordinance within 60 days of receipt of such petition. While the law does require the County to make a decision on an application or request for a zoning approval, zoning permit or variance, that law does not govern or apply to the Heinen's petition to amend the Zoning Ordinance.

BACKGROUND

Item 9 on the Agenda for the September 21, 2022 meeting concerns the petition of Mike and Erika Heinen submitted on August 1, 2022. The Heinen's petition seeks to amend the Chisago County Zoning Ordinance to allow for slaughterhouse and meat facilities as permitted uses within the Agricultural District or, in the alternative, as conditional uses in the Agricultural District. The Planning Commission considered the Heinen's petition at its regular meeting held on September 1, 2022. The Planning Commission held a public hearing and then stopped short of reaching a recommendation on the Heinen's proposed amendment.

The Planning Commission did adopt a procedural recommendation asking the County Board to adopt an extension of 60 days to reach a decision on the Heinen's petition. The Planning Commission adopted the recommendation because it had the impression that the Heinen's petition had to be dealt within 60-days from the date of its submission. The Planning Commission reached that recommendation because it applied state law that imposes a 60-day timeframe upon the County to decide applications for zoning approvals. The Planning Commission took the position that the "60-day to decision rule" also applies to petitions brought by landowners to amend the Zoning Ordinance. Adoption of the 60-day extension as requested by the Planning Commission would return the Heinen's petition to the County Board at its November 16, 2022 meeting with the Planning Commission providing a recommendation at its November 3, 2022 meeting.

REQUEST FOR BOARD ACTION

The Request for Board Action offers three courses of action, in the alternative:

1. To Adopt the recommendation of the Planning Commission;
2. To Amend the Zoning Ordinance as petitioned by the Heinen's with or without additional language;
or
3. Deny the Heinen's petition, leaving the Zoning Ordinance in its present language.

For legal reasons discussed below, it is the recommendation of the County Attorney's Office to the County Board that it take neither of the above three courses of action at its September 21, 2022 meeting.

First, the law found at Minnesota Statutes section 394.25, Subd. 10 requires the Planning Commission to provide a recommendation on the proposed amendment as initiated by the Heinen's before the County Board possess the legal authority to act on that proposed amendment. Second, the statutory 60-day to decision rule found in section 15.99, Subd. 1, (c), that requires the County reach a decision on applications or requests for zoning approvals – land use permits, conditional use permits, interim use permits and variances – does not apply to legislative acts of the County Board. Considering the Heinen's petition to amend the Zoning Ordinance and either amending the Zoning Ordinance or denying the petition are legislative acts which are constrained only by the timeframes that the County Board determines to be in the best interest on the County and its citizens.

DISCUSSION

POSSIBLE ACTIONS AND RECOMMENDATION

At the present time, the law allows the County Board to take only one of two courses of action, as follows:

1. Recommended Action: To receive and adopt a motion that directs the Planning Commission to provide a recommendation and report on the petitioned amendment when it meets on October 6, 2022 or at some other date that the County Board determines appropriate.

It is the advice and recommendation of the County Attorney's Office to the County Board to adopt such a motion. The County Board has the legal authority to take this course of action if it so chose.

2. Alternative Action: The County Board could amend its agenda to strike Item 9 altogether and not consider the request of the Planning Commission at all.

The County Board has the legal authority to take this course of action. However, as a matter of pragmatism, County Attorney's Office makes a recommendation against this course of action because removing the matter altogether from the agenda would not give any direction to Planning Commission on the timeframe in which the County Board finds appropriate to make a recommendation on proposed amendment sought in the Heinen's petition.

ACTIONS THAT THE COUNTY BOARD LACKS PRESENT AUTHORITY TO MAKE

The Planning Commission must provide a recommendation to the County Board before the County Board may even consider the Heinen's petition.

The language found at Minnesota Statutes section 394.25, Subd. 10 governs the process in which county boards may amend zoning ordinances. Section 394.25, Subd. 10 reads as follows:

"Subd. 10. Amendments. An amendment to official controls may be initiated by the board, the planning commission, or by petition of affected property owners as defined in the official controls. An amendment not initiated by the planning commission shall be referred to the planning commission, if there is one, for study and report and may not be acted upon by the board until it has received the recommendation of the planning commission."

Minnesota Statutes section 394.25, Subd. 10 (2022), emphasis added.

Rules of statutory construction are used to determine the meaning of statutory language. Where the language of the statutory language is clear and unambiguous, the analysis goes no further and the plain meaning is to be applied.

The underscored language of section 394.25, Subd. 10 is clear and unambiguous. The underscored language precisely provides a directive that prevents, in this instance, the County Board from considering the Heinen's petition at its September 21, 2022 meeting. The County Board may only first act on the Heinen's petition after the Planning Commission provides a recommendation on that petition. At the earliest, the Planning Commission could provide a recommendation out of its October 6, 2022 meeting. Assuming that the Planning Commission issues a recommendation at its October 6, 2022 meeting the law would first authorize

the County Board to take up the proposed amendment at the County Board meeting scheduled for October 19, 2002.

By comparison, the provisions found in the County's Zoning Ordinance for amending the Zoning Ordinance found at Section 8.08 do not contain a restriction like that found in section 394.25, Subd. 10. The Zoning Ordinance simply provides that upon receiving the report and recommendation of the Planning Commission, the County Board must reach a decision on the proposed amendment. However, to give full meaning to the legislative intent of the language of section 394.25, Subd 10 underscored above, it would be necessary to interpret the County's Zoning Ordinance to require that the Planning Commission must provide a recommendation on a petition to amend before the County Board make take up the petition.

It should be noted that the statutes do not require a planning commission recommendation where the county board or the planning commission proposes the amendment to the zoning ordinance. The statute only requires only that proposed amendments initiated by the county board must be referred to the planning commission for study and report in those counties which have a planning commission.

The County Attorney's Office is aware of the public testimony that the Planning Commission received in public hearing that was given in favor of the petitioned for amendment. Indeed, the conclusions, advice and recommendations provided here by the County Attorney's Office may very well be unpopular. Nonetheless, the statutory language and rules of statutory construction leave no alternative but for the County Attorney's Office to reach the conclusions found in this memo and to provide the recommendations, as discussed above, that will allow the County Board to take up the petitioned amendment in the shortest amount of time consistent with law.

ACTION WHICH IS UNNECESSARY

The law imposes no time frame upon which a petition to amend a zoning ordinance must be decided.

It is the opinion of the County Attorney's Office that it unnecessary for the County Board to consider the Planning's Commission's request to extend for 60-days a decision on amending the Zoning Ordinance as petitioned for by the Heinen's. First, the law does not impose such a time frame for decisions on proposed amendments to zoning ordinances brought by the County Board, the Planning Commission or initiated by petition of landowners. Secondly, it is the opinion of County Attorney's Office that it is contrary to the interest of the County and its citizens for the County Board to impose upon itself a hard timeframe for making decisions on proposed amendments to the County's official control/zoning ordinances. Proposed amendments to zoning ordinances raise a myriad of issues that can only be addressed in timeframes set by the County Board on a case-by-case basis balanced on the complexity of the proposed amendment and the concerns and interests of the citizens of the County in the proposed amendment.

The provisions found in the Minnesota Statutes and the County's Ordinance that govern the process for amend the County's Zoning Ordinance contain no language that would impose a timeline upon the County Board in considering a proposed amendment when petitioned for by affected property owners. As stated above, the law only imposes upon the County Board the instruction that it may not act on the proposed amendment until it receives a recommendation from the Planning Commission on that petition. Consistent with the first recommendation addressed above, it is the advice and recommendation for the County Board to provide direction and instruction to the Planning Commission to complete its work and provide a recommendation in a timeframe that the County Board determines to be in the best interest of the County and its citizenry.

Where authorized by statute, certainly the County Board could impose upon itself a 60-day time limit for making decisions on proposed ordinances that are initiated by petitions of landowners. However, the County Attorney's Office knows of no statute that would otherwise authorize a county board with the discretion to do so. Similarly, County's Zoning Ordinance contains no language that requires a 60-day decision on petitions to amend the Zoning Ordinance. Absent clear language in statute or the County's Zoning Ordinance that directs the County Board to decide petitions for amendments to the Zoning Ordinance within a hard and fast time frame, taking such action is probably contrary to the interest of the County.

The 60-day to decision rule that requires counties to decide requests for zoning approvals does not apply to a petition that seeks to amend a zoning ordinance.

In the context of zoning, Minnesota Statutes section 15.99, Subd 1(c) requires counties to decide a request for zoning approval within 60 days of the submission of a completed application. The County's Zoning Ordinance incorporates the 60-day to decision rule found in statute. At Section 8.04, F, the Zoning Ordinance requires the County Board to reach a decision in 60-days on a completed application for conditional use permit. At Section 8.06, G, the Zoning Ordinance requires the Board of Adjustment to reach a decision in 60-days on a completed application for a variance.

The 60-day to decision rule, however, is limited in its application to solely those individual requests (applications) for approval of zoning permits, licenses or other governmental approvals. Application of section 15.99's 60-day to decision rule is limited in scope by the definition of "request" found in statute. A "request" is defined by s. 15.99, Subd. 1 (c) to mean: "a written application related to zoning, septic systems, watershed district review, soil and water conservation district review, or the expansion of the metropolitan urban service area, for a permit, license, or other governmental approval of an action." Under the definition of "request", governmental approval of an action means approval or denial of applications for a land use permit submitted for determination by the Environmental Services/Zoning Office; approval or denial of applications for conditional use permits and interim use permits and requests for the subdivision or platting of land submitted for Planning Commission recommendation and County Board final action; and approval and denial of applications for variances submitted for decision of the Board of Adjustment and Appeals.

A petition to amend an ordinance falls outside this definition of "request". A petition to amend an ordinance is a request to the county board to exercise that legislative action. An enactment or amendment of a zoning ordinance by the county board is the very exercise of that legislative power, something considerably different than an act of regulatory power that is exercised when taking up applications for permits and approvals required of the County's Zoning Ordinance.

Accordingly, it is the advice of the County Attorney's Office to the County Board to act consistent with the recommendations outlined in this legal memo.

JB09192022

Cc: Chip Yeager, Planning Commission Chair
Kurt Schneider, Environmental Services Director

SECTION 16.1 GENERAL STANDARDS FOR SLAUGHTERHOUSE ACTIVITIES

Subdivision 1: Purpose and Intent

The purpose of the provisions on Slaughterhouse activities is to:

1. Recognize that food, in its various forms, is essential to the health and well being of Sherburne County, and that the unregulated operation of slaughter houses may create health hazards, or otherwise jeopardize the public health and welfare of the residents of Sherburne County.
2. It is the intent of Sherburne County to attempt to frame this Ordinance consistently with the definitions and regulations already in place in State Statute so as to provide for the consistent and convenient regulation of slaughterhouses.
3. It shall be unlawful for any person to operate a slaughterhouse or custom processing facility for the butchering of animals in Sherburne County except in conformance with this Ordinance.

Subdivision 2: Definitions. The definitions set forth herein are based upon those definitions contained in Minnesota Statutes Section 31.51, 28A.03 and any amended or successor statutes.

To the extent that these definitions may be inconsistent with other definitions within the Sherburne County Zoning Ordinance, for the purposes of Section 16.1, these definitions apply. These definitions do not apply to other sections of the Sherburne County Zoning Ordinance.

Animal or Animals. "Animal" or "animals" shall mean all living, non-human beings, including but not be limited to, cattle, swine, sheep, goats, farmed cervidae, horses, bison, mules, or other equines, llamas, poultry and/or ratitae.

Custom Processing. "Custom processing" means slaughtering, eviscerating, dressing, or processing an animal or processing meat products for the owner of the animal or of the meat products, if the meat products derived from the custom

operation are returned to the owner of the animal. No person may sell, offer for sale, or possess with intent to sell meat derived from custom processing except in conformance with this Ordinance.

Custom Processor. "Custom processor" means a person who slaughters animals or processes non-inspected meat (*not under continuous inspections by either the MN Dept. of Agriculture or US Dept. of Agriculture for slaughter house activities*) for the owner of the animals, and returns the majority of the meat products derived from the slaughter or processing to the owner. "Custom processor" does not include a person who slaughters animals or processes meat for the owner of the animals on the farm or premises of the owner of the animals.

Meat Food Product. "Meat food product" means a product usable as human food, animal foods, or fertilizer and made wholly or in part from meat or a portion of the carcass of animals.

Place of Business. "Place of business" means every location where food or food items are manufactured, processed, sold, stored, or handled, including buildings, sites, permanent or portable structures, carnivals, circuses, fairs, or any other permanent or temporary location.

Sell or Sale. "Sell" or "sale" includes the keeping, offering or exposing for sale, use, transportation, transferring, negotiating, soliciting, or exchange of meat or meat food products, or the having in possession with intent to sell, use, transport, negotiate, solicit or exchange the same and the storing or carrying thereof in aid of traffic therein, whether done or permitted in person or through others.

Slaughter House. "Slaughter house" means any land, building, place or establishment in which animals are slaughtered, eviscerated, or dressed.

Subdivision 3: Regulations.

1. No person may, with respect to any animal or meat food product, slaughter any animal or prepare an article that is usable as human food, at any establishment or place of business within Sherburne County except in compliance with this Ordinance. Additionally, no person may operate any slaughterhouse or custom processing activity except in compliance with this Ordinance.
2. The operation of a slaughterhouse or custom processing activity is allowed as an interim use only in the Heavy Industrial, Industrial, and Commercial Zoning Districts. All such uses must, however, be in strict conformance with all Federal and State laws for the operation of such facilities. The following

are conditions to govern slaughterhouse and custom processing activities in Sherburne County.

- a. Slaughter of animals shall take place inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside.
- b. The transport of animals and by-products from the slaughter or to support the business shall be pursuant to the conditions set forth in the Interim Use Permit issued by Sherburne County.
- c. Off street parking sufficient to handle all customers, employees, trucks or transport vehicles shall be provided. Parking for all traffic utilizing the business shall be provided for on-site and off public roads, and other easements.
- d. The applicant shall provide a traffic impact analysis.
- e. The main entrance to the facility must be located on a state highway, county road, or township road. Access shall not be permitted through a residential area.
- f. The site must be served by an approved On-Site Sewage Treatment System. Disposal of waste shall be in accordance with all applicable laws and regulations. This is meant to include, but is not limited to, all sewage, processed and unprocessed animal parts, manure, entrails, blood, hides and bones.
- g. The facility must have all necessary federal, state and county licenses and approvals, and comply with all state and federal health and safety regulations.
- h. The maximum area (indoor, outdoor or combination thereof) for the keeping or slaughtering of animals shall not exceed sixty percent (60%) of the individual lot or parcel site. The Interim Use Permit will limit the number of animals for the keeping or slaughtering.
- i. The facility hours of operations shall be pursuant to those set forth in the Interim Use Permit issued by Sherburne County.
- j. Exterior storage areas, including animal storage areas, and vehicle and trailer storage, shall be fenced and screened from adjacent property and public rights of way. Fencing shall be sufficient to provide adequate screening and contain animals securely on the owner's property at all times.

- k. Animals shall be enclosed in gated enclosures with a minimum height of six (6) feet.
 - 1. Manufactured steel pipe panels shall have a minimum pipe diameter of two (2) inches and shall have a minimum of six (6) horizontal pipes.
- l. Live animals may be held on the site for no more than twenty-four (24) hours.
- m. Waste slaughter byproducts shall be disposed of in accordance with all applicable federal, state, and local regulations. At a minimum, waste shall be disposed of within forty-eight (48) hours of being produced. Waste shall be stored in airtight containers and shall be confined in fully enclosed structures. Manure from holding areas shall be removed from the site daily or stored in a manner to control odor as approved by Sherburne County.
- n. The permit shall be subject to a facility management plan, waste handling plan, site plan, and noise and odor control plan approved in writing by the Sherburne County Zoning Department.
- o. All exterior structures and improvements or fences for the keeping or confinement of animals shall meet all setbacks as defined by the Sherburne County Zoning Ordinance.
- p. All loading and unloading areas shall be screened from view from adjacent properties and public streets.

Subdivision 4: Permitted Uses

- 1. Said provisions of Subdivision 3 will not apply in the following cases unless such activity is of a level, nature or scope that a permit, license, or other approval from federal state, or local unit of government is needed. In the event that such approval is warranted, then the provisions of Subdivision 3 shall apply and a Conditional Use Permit shall be required:
 - a. On parcels of land at least 40 acres in size located in the County's Agricultural District, and or in the General Rural Zoning District, the following may be undertaken as a permitted use:
 - 1. The processing by a person of the person's own animals and the owner's preparation and transportation in intrastate

commerce of the carcasses, parts of carcasses, meat, and meat food products of those animals exclusively for use by the owner and members of the owner's household, non-paying guests, and employees, or to the custom processing by a person of animals delivered by the owner for processing. (Reference Minnesota Statutes Section 31A.15, Subd. 1(1) and (2).)

- b. The butchering, slaughtering or processing of any wild game taken by permit issued by the Minnesota Department of Natural Resources, or on Private Game Farms, is a permitted accessory use in all zoning districts of the County.

Subdivision 5. State and Federal Licenses or Permits. No person shall operate a slaughterhouse or custom processing facility unless that person has first obtained any required State or Federal licenses or permits.

Subdivision 6. If any portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Subdivision 7. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Chisago County Request For Board Action

Meeting Date: October 19, 2021	Item Number: 8
Title of Item for Consideration: Zoning Ordinance Amendment – Functions of the Planning Commission	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services/Zoning - on behalf of the Chisago County Planning Commission
Previous Action on this Matter: On April 13, 2022, the County Board of Commissioners completed the mandated redistricting evaluation and mapping of each of the five (5) County Commissioner Districts for 2023 and beyond. At its meeting on May 5, 2022, the Planning Commission considered the impacts of redistricting to the structure and membership of the Planning Commission based upon the existing zoning ordinance criteria outlined in <i>Section 8.03 Functions of the Planning Commission</i>. The Planning Commission requested the County Attorney's Office to provide an opinion that addressed the subject. At its meeting on June 2, 2022, the Planning Commission received and discussed legal opinion guidance on the impacts of redistricting on the Planning Commission Composition and Membership. On June 15, 2022, the County Board referred a draft proposed amendment to the Zoning Ordinance to the Planning Commission and directed the Planning Commission to proceed with the conduct of a public hearing review of amendment(s) to Chisago County Zoning Ordinance <i>Section 8.03 Functions of the Planning Commission</i>. The Planning Commission conducted the requisite public hearing on August 4, 2022, and carried their deliberation of contemplated amendments to Zoning Ordinance Section 8.03 forward to their meetings of September 1, 2022, and October 6, 2022.	
Background: At their meeting of October 6, 2022, the Planning Commission completed their deliberation of contemplated changes to Zoning Ordinance <i>Section 8.03 Functions of the Planning Commission</i> and recommended (4-0) that the County Board adopt the Planning Recommendations of: 1. Zoning Ordinance text amendments to <i>Section 8.03 Functions of the Planning Commission</i> as attached; and 2. A resolution establishing an Ordinance Workgroup extension of the Planning Commission to include all duly appointed 2023 members of the Planning Commission and current members of the Planning Commission that will be displaced by the January 1, 2023, effective date of redistricting.	
Attachment(s): • Commission Recommended Zoning Ordinance Amendment - Section 8.03 Functions of the Planning Commission • Proposed Draft Amendment to Section 8.03 of the Zoning Ordinance as Introduced by County Board on June 21, 2022 • Resolution No. 22/1019____: Resolution to Affirm Planning Commissioner Terms and To Establish a 2023 Planning Commission Workgroup	

Action Requested/Recommended: It is respectfully requested that the Chisago County Board approve the Planning Commission recommended amendments to Section 8.03 of the Chisago County Zoning Ordinance and establish a 2023 Planning Commission Workgroup. The suggested motions are presented as follows:

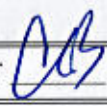
1. ***"Move to Enact and Authorize Publication of Amendment(s) to Chisago County Zoning Ordinance, Section 8.03 Functions of the Planning Commission, as recommended by the Chisago County Planning Commission"***
2. ***"Move to Adopt Resolution No. 22/1019___ A Resolution of the Board of Commissioners of Chisago County, Minnesota, To Affirm Planning Commissioner Terms Resulting from the 2022/2023 Redistricting Plan and to Establish a 2023 Workgroup as an Extension of the Planning Commission for the Continued Development of Revisions to the Chisago County Zoning, Subdivision, and Shoreland Ordinances."***

Implications of Action: Section 8.03 of the Chisago County Zoning Ordinance will be published and recorded as amended and a 2023 Planning Commission workgroup will be established effective January 1, 2023.

Budget/Financial Implications: With the exception of publication costs, there are no direct financial implications associated with the ordinance amendments. Membership of the 2023 workgroup will incur meeting per diem budgetary impacts according to county policy and meeting frequency.

Legal/Policy Implications: The proposed ordinance amendment and resolution as recommended by the Planning Commission have been reviewed and approved as to form by the County Attorney's Office. Amendment of the Zoning Ordinance does change local law/policy as pertains to Planning Commission membership and adoption of the resolution establishes the terms of Planning Commissioners

Administrator's Recommendation

Approve _____	Deny _____	Other 
Motion By: _____		Seconded by: _____
To: _____		
Action on Motion:	Aye _____	Nay _____
		Abstain _____

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CHISAGO COUNTY
STATE OF MINNESOTA ORDINANCE NO. XXX

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AN ORDINANCE AMENDING CHISAGO COUNTY ZONING ORDINANCE 08-03
SECTION 8.03 FUNCTIONS OF THE PLANNING COMMISSIONS FOLLOWS

19 Now therefore be it resolved that the Chisago County Board of Commissioners hereby ordains
20 that Section 8.03 of Zoning Ordinance No. 08-03 is hereby amended to repeal and replace
21 subsection A. and repeal subsection C. and renumber and adopt as follows:

22
23

Section 8.03 Functions of the Planning Commission

- 24 A. The Planning Commission is established. The Planning Commission shall be composed
25 of 7 voting members appointed by majority vote of the County Board. No more than one
26 voting member of the commission shall be an officer or employee of the county. No
27 voting member of the commission shall have received, during the two years prior to
28 appointment, any substantial portion of income from business operations involving the
29 development of land within the county for urban and urban related purposes.
30
- 31 B. The terms of the voting members of the Planning Commissioners shall be for three years,
32 with each term staggered, commencing on January 1 and expiring on December 31 every
33 three years thereafter.
34
- 35 C. As of January 1, 2023 the voting members of the Planning Commission shall be
36 nominated and appointed as follows:
37
- 38 1. Five of the 7 voting members shall each be appointed according to his or her County
39 Commissioner District and upon nomination of the County Commissioner seated in
40 his or her respective County Commissioner District. The remaining two voting
41 members shall be appointed at-large and reside in the un-incorporated areas of the
42 county.
43 2. In the event a County Commissioner District lacks qualified nominees as determined
44 by the County Commissioner seated in his or her respective District said County

Commissioner may nominate an alternative at-large county resident from outside their District.

3. All Commission appointment nominees shall require an affirmative majority vote of the County Board of Commissioners to be seated.

D. NON-VOTING MEMBERS

The County Board shall annually assign a County Board Commissioner as committee liaison to the Planning Commission. The committee liaison shall be an ex officio member of the Planning Commission and have no voting privileges on the Planning Commission. ~~The County Board may also designate any county officer or employee as an ex-officio member of the Planning Commission with no voting privileges.~~

- E. The term of each member shall be for three years. Appointments shall be made so that no more than three and no less than two terms are filled at the beginning of each calendar year. Each member may be eligible at the discretion of the County Board for reappointments.
- F. The Commission may call for the removal of any member for non-performance of duty or misconduct in office. If a member has three consecutive unexcused absences in any one year, the secretary shall certify this fact to the Commission and the Commission shall notify the County Board along with suggested action. The County Board shall appoint a replacement for the unexpired term, as if the member had resigned.
- G. Should any vacancy occur among the members of this Planning Commission by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the Chair of the County Board. Should any vacancy occur among the officers of the Planning Commission, the vacant office shall be filled in accordance with the By-Laws of this section, such officer to serve the unexpired term of the office in which such vacancy shall occur.
- H. The members of the Commission may be compensated in an amount determined by the County Board and may be paid their necessary travel expenses in attending meetings of the Commission and in the conduct of the business of the Commission.
- I. The Planning Commission shall each year in January elect a Chair and a Vice-Chair from among its members. The County staff shall serve the duties of the secretary. Rules of order and operating policies for the year are to be established at this meeting.
- J. The Planning Commission shall adopt rules for the transaction of its business and shall keep public record of its transactions, findings, and recommendations.
- K. The Planning Commission shall cooperate with the Zoning Administrator and other employees of the County in preparing and recommending to the Board for adoption,

comprehensive plans and recommendations for plan execution in the form of official controls and other measures, and amendments thereto.

- L. The Planning Commission shall act in an official capacity on behalf of the County Board and Zoning Administrator in the administration of this Ordinance and shall review, hold public hearings, and make recommendations to the County Board on the adoption of new ordinances, ordinance amendments, environmental reviews, and all planning applications using the criteria in the County Ordinance. From time to time, the County Board may authorize the establishment of workgroups for the development of ordinances on terms and conditions that the County Board finds appropriate.

**CHISAGO COUNTY
STATE OF MINNESOTA ORDINANCE NO. XXX**

**AN ORDINANCE AMENDING CHISAGO COUNTY ZONING ORDINANCE 08-03
SECTION 8.03 FUNCTIONS OF THE PLANNING COMMISSION AS FOLLOWS**

Now therefore be it resolved that the Chisago County Board of Commissioners hereby ordains that Section 8.03 of Zoning Ordinance No. 08-03 is hereby amended to repeal and replace subsection A. and repeal subsection C. and Section 8.03 is renumbered and adopted in its entirety as follows:

Section 8.03 Functions of the Planning Commission

- A. The Planning Commission is established. The Planning Commission shall be composed of 7 voting members appointed by majority vote of the County Board. No more than one voting member of the commission shall be an officer or employee of the county. No voting member of the commission shall have received, during the two years prior to appointment, any substantial portion of income from business operations involving the development of land within the county for urban and urban related purposes.
- B. The terms of the voting members of the Planning Commissioners shall be for three years, with each term staggered, commencing on July 1 and expiring on June 30.

46 C. Upon passage and publication of this amendment, the current voting members who are
47 seated on the Planning Commission shall continue to serve his or present term until June
48 30, 2023 irrespective of the location of his or her residence within the County and
49 without regard to County Board Commissioner District from which he or she was
50 appointed. After July 1, 2023, the membership of the Planning Commission shall be
51 determined pursuant to subsection D., below.

- 52
- 53 1. Current members whose present term expires on December 31, 2022 remain eligible
54 for reappointment to his or her current seat for abbreviated term commencing on
55 January 1, 2023 and expiring on June 30, 2023, regardless of his or her current
56 residence or the Commissioner District from which such member was appointed.
 - 57
 - 58 2. Current members whose present terms expire after the first meeting of the County
59 Board in January 2023, shall continue to serve irrespective of his or her current
60 residence or his or her residence at the time of appointment.
 - 61
 - 62 3. The term of any seat that becomes vacant before June 30, 2023 shall be lapse on the
63 day of vacancy and such seat filled upon nomination and appointment under the 2022
64 County Commissioner District Plan to serve the residue of the term. If the term of
65 such seat shall lapse on June 30, 2023 pursuant to Subsection D. 1, the person so
66 appointed to fill the vacancy shall be reappointed to serve the three year term
67 commencing July 1, 2023.

68 D. After June 30, 2023, the voting members of the Planning Commission shall be nominated and
69 appointed as follows:

- 70
- 71 1. The term of any current voting member whose residence was relocated to County
72 Commissioner district different from the County Board Commissioner District from
73 which he or she was appointed as a result of the 2022 County Board Commissioner
74 District Plan shall expire on June 30, 2023. The terms of those members whose
75 districts did not change as a result of the 2022 County Board Commissioner District
76 Plan shall continue and expire on June 30 of the year in which such term is to expire.
 - 77
 - 78 2. Five of the 7 voting members shall each be appointed according to his or her County
79 Commissioner District and upon nomination of the County Commissioner seated in his or her
80 respective County Commissioner District. The remaining two voting members shall be
81 appointed and reside in the un-incorporated areas of the county.
 - 82

83 E. NON-VOTING MEMBERS

84

85 The County Board shall annually assign a County Board Commissioner as committee liaison to
86 the Planning Commission. The committee liaison shall be an ex officio member of the Planning
87 Commission and have no voting privileges on the Planning Commission. The County Board may
88 also designate any county officer or employee as an ex-officio member of the Planning
89 Commission with no voting privileges.

- 90
- 91 F. The term of each member shall be for three years. Appointments shall be made so that no
- 92 more than three and no less than two terms are filled at the beginning of each calendar
- 93 year. Each member may be eligible at the discretion of the County Board for
- 94 reappointments.
- 95
- 96 H. The Commission may call for the removal of any member for non-performance of duty or
- 97 misconduct in office. If a member has three consecutive unexcused absences in any one
- 98 year, the secretary shall certify this fact to the Commission and the Commission shall
- 99 notify the County Board along with suggested action. The County Board shall appoint a
- 100 replacement for the unexpired term, as if the member had resigned.
- 101
- 102 I. Should any vacancy occur among the members of this Planning Commission by reason of
- 103 death, resignation, disability or otherwise, immediate notice thereof shall be given to the
- 104 Chair of the County Board. Should any vacancy occur among the officers of the Planning
- 105 Commission, the vacant office shall be filled in accordance with the By-Laws of this
- 106 section, such officer to serve the unexpired term of the office in which such vacancy shall
- 107 occur.
- 108
- 109 J. The members of the Commission may be compensated in an amount determined by the
- 110 County Board and may be paid their necessary travel expenses in attending meetings of
- 111 the Commission and in the conduct of the business of the Commission.
- 112
- 113 K. The Planning Commission shall each year in January elect a Chair and a Vice-Chair from
- 114 among its members. The County staff shall serve the duties of the secretary. Rules of
- 115 order and operating policies for the year are to be established at this meeting.
- 116
- 117 L. The Planning Commission shall adopt rules for the transaction of its business and shall
- 118 keep public record of its transactions, findings, and recommendations.
- 119
- 120 M. The Planning Commission shall cooperate with the Zoning Administrator and other
- 121 employees of the County in preparing and recommending to the Board for adoption,
- 122 comprehensive plans and recommendations for plan execution in the form of official
- 123 controls and other measures, and amendments thereto.
- 124
- 125 N. The Planning Commission shall act in an official capacity on behalf of the County Board
- 126 and Zoning Administrator in the administration of this Ordinance and shall review, hold
- 127 public hearings, and make recommendations to the County Board on the adoption of new
- 128 ordinances, ordinance amendments, environmental reviews, and all planning applications
- 129 using the criteria in the County Ordinance.

Commissioner _____ offered the following resolution and moved its adoption:

RESOLUTION NO. 22/1019 _____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY,
MINNESOTA, TO AFFIRM PLANNING COMMISSIONER TERMS RESULTING
FROM THE 2022/2023 REDISTRICTING PLAN AND TO ESTABLISH A
WORKGROUP OF THE PLANNING COMMISSION TO CONTINUE DEVELOPMENT
OF REVISIONS TO THE CHISAGO COUNTY ZONING, SUBDIVISION, AND
SHORELAND ORDINANCES.**

WHEREAS, On April 13, 2022, the County Board of Commissioners completed the mandated redistricting evaluation and mapping of each of the five (5) County Commissioner Districts effective in January 2023 and beyond; and

WHEREAS, at its meeting on May 5, 2022, the Planning Commission began consideration and deliberation of the impacts of redistricting to the structure and membership of the Planning Commission based upon Chisago County Zoning Ordinance criteria outlined in Ordinance Section 8.03 Functions of the Planning Commission; and

WHEREAS, on June 2, 2022, The Planning Commission further discussed the impacts of the 2023 redistricting on the Planning Commission composition and membership and recommended authorization to proceed with a zoning text amendment to amend Chisago County Zoning Ordinance Section 8.03 Functions of the Planning Commission; and

WHEREAS, on June 15, 2022, the County Board of Commissioners authorized and directed that the Chisago County Planning Commission proceed with public notification and conduct of a public hearing and review of Amendment(s) to Chisago County Zoning Ordinance Section 8.03 Functions of the Planning Commission; and

WHEREAS, on August 4, 2022, the Planning Commission conducted a public hearing and sought public comment on draft changes to Chisago County Zoning Ordinance 08-03 Section 8.03 Functions of the Planning Commission; and

WHEREAS, on September 1, 2022, the Planning Commission considered three variations of draft changes to Chisago County Zoning Ordinance 08-03 Section 8.03 Functions of the Planning Commission; and

WHEREAS, on October 6, 2022, the Planning Commission recommended certain amendments to Zoning Ordinance Section 8.03 Functions of the Planning Commission and the appointment of a "supernumeraries" ordinance Workgroup for the duration of time required, or six months (June 30, 2023), whichever occurs first, to finish general County Zoning Ordinance, Subdivision Ordinance, and Shoreland Ordinance revisions and updates; and

WHEREAS, said Workgroup shall consist of duly appointed 2023 members of the Chisago County Planning Commission and Supernumerary members formerly of the Chisago County

Planning Commission now displaced by January 1, 2023, redistricting and/or Chisago County Zoning Ordinance Section 8.03 amendments: and

WHEREAS, said Supernumerary Workgroup members shall be allowed full participation in County Zoning Ordinance, Subdivision Ordinance, and Shoreland Ordinance revision and update work sessions and shall receive meeting stipend and resource materials in the same manner as appointed members of the Chisago County Planning Commission; and

WHEREAS, said Supernumerary Workgroup members will be expressly invited to comment and contribute to the County Zoning Ordinance, Subdivision Ordinance, and Shoreland Ordinance revisions and updates in the same manner as appointed members of the Chisago County Planning Commission; and

WHEREAS, said Supernumerary Workgroup members will not be allowed to participate in normal Planning Commission work and review of monthly land use application or permit requests or otherwise vote as a member of the Planning Commission.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby establishes and appoints the Chisago County Zoning Ordinance, Subdivision Ordinance, and Shoreland Ordinance review and revisions Workgroup with Supernumeraries as outlined herein; and

BE IT FURTHER RESOLVED for purposes of clarity the Board of Commissioners of Chisago County recognizes and identifies that as of January 1, 2023; the established terms of the Planning Commission membership; and the terms of members whose districts of residency did not change because of the 2023 County Board Commissioner Redistricting Plan shall be, as set forth below:

District	Established Term (3-year rotation)	Member
District 1	01/07/2020 – 01/01/2023	Vacant
District 2	01/04/2022 – 01/01/2024	Vacant
District 3	01/05/2021 – 01/01/2023	Vacant
District 4	01/17/2022 – 01/01/2025	Charles Yeager
District 5	01/05/2021 – 01/01/2024	Frank Storm
At-Large	01/08/2022 – 01/01/2025	John Sutcliffe
At-Large	01/04/2022 – 01/01/2025	Jolene Wille

Commissioner _____ seconded the resolution and upon a vote being taken thereon, the following voted:

IN FAVOR THEREOF:

OPPOSED:

ABSENT:

Whereupon Resolution No. _____ was declared duly passed and adopted.

Approved: _____, 2022

Richard Greene
Chair, Board of Commissioners

ATTEST: _____
Christina Vollrath
Clerk of the Board

Chisago County Request For Board Action

Meeting Date: October 19, 2022	Item Number: 9
Title of Item for Consideration: Krousey/Brisco/Everett/Fish Lake Lutheran Parcels Rezoning Request from Rural Residential to Agricultural	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services/Zoning
Previous Action on this Matter: None.	
Background: Applicant Matthew Krousey on behalf of property owners Robert Briscoe & Mary Everett and Fish Lake Lutheran Church, has applied for the Rezoning of two parcels from Rural Residential I (RRI) District to Agricultural (AG) District. The subject properties are located at 2785 Stark Road/CSAH 10 and 43353 Cedercrest Trail/CSAH 8, Fish Lake Township, PID#'s 03.00379.10 and 03.00400.00. At their meeting of October 6, 2022, the Planning Commission conducted the requisite public hearing and unanimously (4-0) recommended approval of the rezoning of the two subject parcels with adoption of Resolution No. PC2022-1001. An Ordinance of the Board of Commissioners consistent with that of the Commission's recommendation is presented for Board consideration. Attachment(s): - Draft Ordinance No.1019___ Approving the Rezoning - Planning Commission Staff Report - Planning Commission Minutes	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board affirmatively consider the Planning Commission recommendation approve the Matthew Krousey Rezoning request. The suggested motion to approve this action is as follows: <i>"Move to enact Ordinance No. 1019___ approving the rezoning of the properties described as 2785 Stark Road/CSAH 10 and 43353 Cedercrest Trail/CSAH 8, Fish Lake Township, PID#'s 03.00379.10 and 03.00400.00 from Rural Residential I (RRI) Zoning District to Agricultural (AG) Zoning District"</i>	
Implications of Action: Recommended Board action recognizes findings/factors of approval and changes the zoning of the subject property to AG – Agricultural land use zoning district. Budget/Financial Implications: None. Legal/Policy Implications: The recommended Board consideration and action(s) are in conformity with generally accepted practices, procedures and interpretations of applicable state statutes and County ordinances and policies.	
Administrator's Recommendation	
Approve _____	Deny _____
Other 	
Motion By:	Seconded by:
To:	
Action on Motion:	Aye _____
	Nay _____
	Abstain _____

**CHISAGO COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY,
MINNESOTA, APPROVING THE REZONING OF PIDS 03.00379.10 AND 03.00400.00 FROM
RURAL RESIDENTIAL I (RRI) DISTRICT TO AGRICULTURAL (AG) DISTRICT**

Section 1. Robert Briscoe & Mary Everett, property owners of PID 03.00379.10, and Fish Lake Lutheran Church, property owner of PID 03.00400.00, and applicant Matthew Krousey submitted an application dated received August 24, 2022 and considered complete on September 7, 2022 for the Rezoning of two parcels from Rural Residential I (RRI) District to Agricultural (AG) District.

Section 2. The subject sites are located at 2785 Stark Road / CSAH 10 and 43353 Cedarcrest Trail / CSAH 8 in Fish Lake Township.

Section 3. The subject area is 36± acres in size and is legally described as:

PID 03.00379.10

That part of the Southeast Quarter of the Northwest Quarter, Section 26, Township 36, Range 22, Chisago County, Minnesota described as follows:

Beginning at the southeast corner of the said Southeast Quarter of the Northwest Quarter; thence westerly, along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 655 feet; thence northerly, parallel with the east line of said Southeast Quarter of the Northwest Quarter, a distance of 412 feet; thence easterly, parallel with said south line, a distance of 412 feet; thence northerly, parallel with said east line, a distance of 611 feet, more or less, to the centerline of the so-called Harris and Fish Lake Road (Chisago County State Aid Highway No. 10); thence northeasterly, along said centerline, a distance of 255 feet, more or less, to said east line; thence southerly, along said east line, a distance of 1138 feet, more or less, to said point of beginning.

AND

All that part of the Southeast Quarter of Northwest Quarter (SE1/4 of NW1/4) of Section Twenty-six (26), Township Thirty-six (36), Range Twenty-two (22), lying South of the centerline of the so-called Harris and Fish Lake Road (Chisago County State Aid Highway No. 10), except that part of said tract heretofore conveyed and described as follows: Commencing at a point on the 1/16 Section line 172 feet North of the Southwest corner of said SE1/4 of NW1/4; thence running East at right angles with said 1/16 Section line a distance of 100 feet; thence running North parallel with said 1/16 Section line to the South boundary line of the so-called Harris and Fish Lake road; thence westerly on the South boundary of said road to the point where said line intersects with the aforesaid 1/16 Section line; thence running South on said 1/16 Section line to the place of beginning, except

Beginning at the southeast corner of said Southeast Quarter of the Northwest Quarter; thence westerly, along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 655 feet; thence northerly, parallel with the east line of said Southeast Quarter of the Northwest Quarter, a distance of 412 feet; thence easterly, parallel with said south line, a distance of 412 feet; thence northerly, parallel with said east line, a distance of 611 feet, more or less, to the centerline of the so-called Harris and Fish Lake Road (Chisago County State Aid Highway No. 10); thence northeasterly, along said centerline, a distance of 255 feet, more or less, to said east line; thence southerly, along said east line, a distance of 1138 feet, more or less, to said point of beginning.

AND

PID 03.00400.00

The Northwest ten acres of the Northeast Quarter of the Southwest Quarter of
Section 26, Township 36, Range 22
Chisago County, Minnesota

Section 4. Notice was provided and on October 6, 2022 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant and/or property owners, and invited members of the public to comment.

Section 5. The Planning Commission unanimously recommended approval of the Rezoning per Resolution No. PC2022-1001.

Section 6. The Board of Commissioners considered the request and the Planning Commission's recommendation at its October 19, 2022 meeting and made the following findings per Zoning Ordinance Section 8.08:

Factor #1 Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #1 *Both subject sites are developed – one for residential purposes and the other with a church and related functions (i.e., cemetery, parking areas, and detached accessory structures) – and there is no indication that the current uses are creating an excessive demand on public facilities or utilities. While the proposed Rezoning may allow for additional development (i.e., detached accessory structures), the County finds no indication that the principal uses of the sites will change or increase the demand on existing parks, schools, streets or other public facilities or utilities.*

Factor #2 Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #2 *The proposed Rezoning will adjust an existing zoning district boundary between the Rural Residential I (RRI) District, the Agricultural (AG) District, and the Rural Village Center (RVC) District. Being that the RRI, AG, and RVC Districts currently abut cohesively and being that the subject sites are already developed, the County finds that the proposed Rezoning will not cause undue negative impacts to the subject sites or neighboring properties or deter future development.*

Factor #3 The amendment will not cause traffic hazard or congestion;

Finding #3 *The subject sites have been developed for residential and church purposes. While each site generates a certain level of traffic (pottery tour and church functions), the County finds that the proposed Rezoning itself will have no impact on current or future traffic hazards or congestion.*

Factor #4 The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and

Finding #4 *The County finds that the proposed Rezoning meets the intent of the land use goals identified in Chapter 9 of the Comprehensive Plan by preserving the County's rural character and supporting compatible agricultural and rural residential development in the County.*

- Factor #5** The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.
- Finding #5** *The proposed Rezoning meets the intent of the land use goals identified in the Comprehensive Plan as described in Finding #4 above. Further, the County finds that the proposed Rezoning of Rural Residential 1 (RRI) District to Agricultural (AG) District meets the intent and purposes of the Zoning Ordinance in that the existing uses (residential and church facilities) meet the intent of the AG District and are compatible with the adjacent RRI and RVC Districts.*

Section 7. The Board of Commissioners of Chisago County, Minnesota hereby approves the Rezoning of PIDS 03.00379.10 and 03.00400.00, as legally described in Section 3., from Rural Residential 1 (RRI) District to Agricultural (AG) District and ordains that the County's official Zoning Map be amended accordingly.

Section 8. This ordinance shall become effective upon its passage and publication.

Passed and approved this 19th day of October, 2022, by the Chisago County Board of Commissioners.

Richard Greene
Chair, Board of Commissioners

ATTEST: _____
Chase Burnham
County Administrator

Published in the _____ this ____ day of _____, 2022.

Drafted by:
Chisago County Department of Environmental Services
313 N. Main Street, Suite 240
Center City, MN 55012



Staff Report

TO: Planning Commission
 FROM: Beth Gervais, Land Services Coordinator
 SUBJECT: Rezoning of 36± Acres from Rural Residential I (RRI) District to Agricultural (AG) District
 2785 Stark Road / CSAH 10 and 43353 Cedarcrest Trail / CSAH 8, Fish Lake Township
 DATE: October 6, 2022

ACTION TO CONSIDER

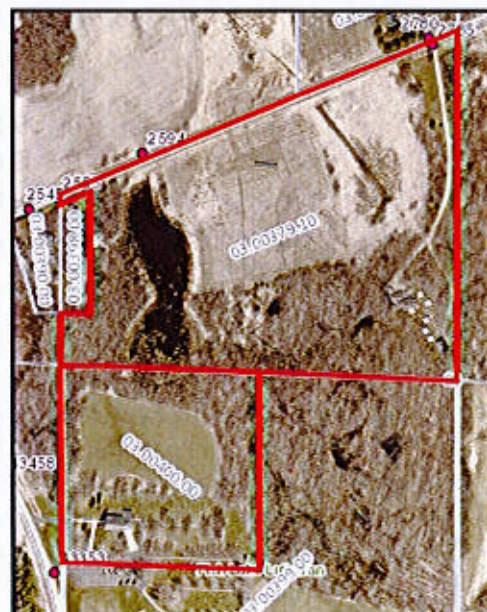
The Planning Commission will conduct a public hearing to consider the Rezoning of 36± acres from Rural Residential I (RRI) District to Agricultural (AG) District.

SITE & APPLICATION INFORMATION

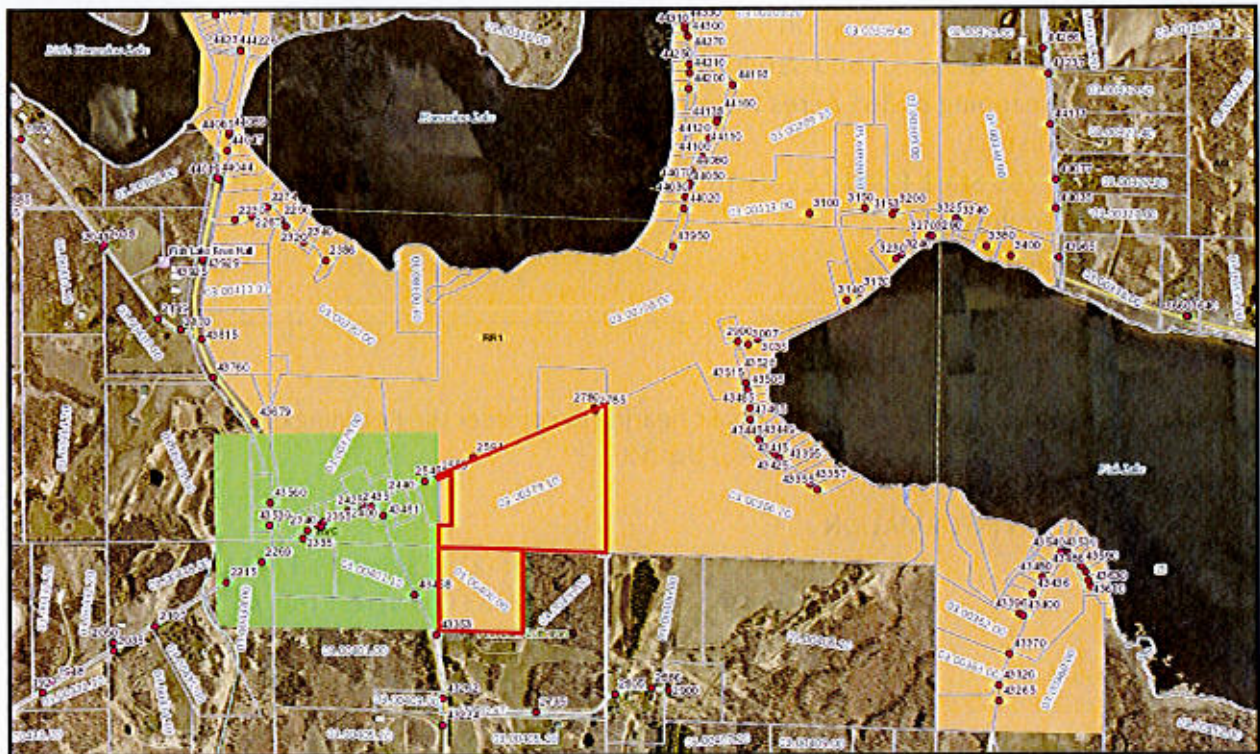
Property Owner(s):	Robert Briscoe & Mary Everett (2785 Stark Road / CSAH 10) Fish Lake Lutheran Church (43353 Cedarcrest Trail / CSAH 8)
Applicant(s):	Matthew Krousey
General Location:	2785 Stark Road / CSAH 10 and 43353 Cedarcrest Trail / CSAH 8 Fish Lake Township Section 26, Township 36, Range 22
PIDs:	03.00379.10 and 03.00400.00
Property Area:	36± Acres Total
Current Zoning:	Rural Residential I (RRI) District
Adjacent Zoning:	
North:	Rural Residential I (RRI) District
South:	Agricultural (AG) District
West:	Rural Village Center (RVC) District
East:	Rural Residential I (RRI) District / Agricultural (AG) District
Date Application Received:	August 24, 2022
Date Application Complete:	September 7, 2022
60-Day Review Period:	November 6, 2022

BACKGROUND

Property owners Robert Briscoe & Mary Everett and Fish Lake Lutheran Church and applicant Matthew Krousey are requesting that their parcels be Rezoned from RRI District to AG District. The Briscoe & Everett parcel is 26.15 acres in size and the Fish Lake Lutheran Church parcel is 10 acres in size, totaling 36± acres. The Briscoe & Everett property is developed with a single family home and related detached accessory structures and the Fish Lake Lutheran Church property is developed with a church, cemetery, parking areas, and detached accessory structures. The subject area is located on the



periphery of the RRI District near and adjacent to Fish Lake, Horseshoe Lake and Little Horseshoe Lake, abutting the AG District as well as the RVC District which includes and surrounds the unincorporated village of Stark.



SITE PLAN / PROPOSAL ANALYSIS

The subject area is generally located westerly of Fish Lake, easterly of the unincorporated village of Stark, and south of Horseshoe Lake. The subject area is also located at a point where three zoning districts meet, including the RRI District (shown in yellow above), the AG District and the RVC District (shown in green above). Surrounding properties vary widely in size but are predominantly developed for residential purposes and/or used for agricultural purposes. The village of Stark includes some non-residential uses, such as two bars / restaurants.

The Rezoning was initiated by Matthew Krousey who owns property at 2785 Stark Road / CSAH 10 on Contract for Deed (Briscoe & Everett property). Krousey resides and operates a pottery studio at the Stark Road property and participates in the annual St. Croix Valley Pottery Tour. Briscoe & Everett had submitted a building permit application earlier this year with the intent of expanding the pottery showroom, only to learn from the Department of Environmental Services that the RRI District does not allow for this particular business activity (Rural Retail Tourism). The building permit was denied, and the applicants were informed of possible remedies, one of which was a Rezoning.

While the Briscoe & Everett property is immediately adjacent to the AG District – making a Rezoning more feasible – a Rezoning of RRI District to AG District would leave the Fish Lake Lutheran Church property as an RRI District “island”. Therefore, the two property owners have submitted a joint application for Rezoning. Much like the Briscoe & Everett property benefitting from the proposed Rezoning, staff believes that the church will also benefit. Churches are allowed in both the RRI District and AG District with approval of a Conditional Use Permit (CUP); however, the RRI District limits the

allowable number of detached accessory structures and the overall amount of accessory storage space. Further, the church owns three separate parcels with three separate zoning classifications (RVC, RRI and AG Districts; shown below). The proposed Rezoning will provide the same zoning classification for the church's two developed properties, leaving the third parcel in the RVC District. The church has intentionally excluded the third parcel (shown as PID 03.00404.00 below) from the Rezoning request.

The Zoning Ordinance provides the following purpose statements for the RRI and AG Districts:

- The RRI District is intended to provide a transition area between lower density rural areas and those more urban in nature which will: 1) accommodate lower density residential development in areas of existing development and in close proximity to incorporated municipalities and municipal services; 2) provide for the long range orderly growth and expansion of municipalities; and, 3) allow for the efficient extension of municipal services in the future.
- The AG District is intended to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas.



Below is a table which outlines minimum requirements for the RRI and AG Districts with corresponding information for the subject sites. The table shows that the subject sites exceed the County's dimensional requirements for both the RRI and AG Districts.

	Minimum Lot Area	Minimum Lot Width*	Minimum Lot Depth**
RRI District	1 acre	200 feet	200 feet
AG District	5 acres	300 feet	300 feet
Subject Site: 2785 Stark Road / CSAH 10	26.15 acres	Approximate Average of 1,288'	Approximate Average of 902'
Subject Site: 43353 Cedarcrest Trail / CSAH 8	10 acres	Approximately 660'	Approximately 670'

* Lot width, by definition, is measured at the building setback line. Subdivision Ordinance Section 4.03 Lot Requirements states that "Each lot shall front upon a public street for the minimum lot width required, except as otherwise provided in this Ordinance."

** Lot depth, by definition, is the average distance measured from the front lot line to the rear lot line. Subdivision Ordinance Section 4.03 Lot Requirements states that "the depth of a lot shall not be greater than five times the width."

As part of the review process, the Technical Review Committee met with Krousey on September 14th. The committee did not identify any concerns during its review.

REZONING FINDINGS OF FACT

Zoning Ordinance Section 8.08 (Amendments and Rezoning) states that the Planning Commission shall consider possible effects of the proposed Rezoning based upon the following factors listed below. Staff has provided proposed findings, shown in *italics* below, for the Commission's consideration.

Factor #1 Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #1 *Both subject sites are developed – one for residential purposes and the other with a church and related functions (i.e., cemetery, parking areas, and detached accessory structures) – and there is no indication that the current uses are creating an excessive demand on public facilities or utilities. While the proposed Rezoning may allow for additional development (i.e., detached accessory structures), the County finds no indication that the principal uses of the sites will change or increase the demand on existing parks, schools, streets or other public facilities or utilities.*

Factor #2 Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #2 *The proposed Rezoning will adjust an existing zoning district boundary between the Rural Residential I (RRI) District, the Agricultural (AG) District, and the Rural Village Center (RVC) District. Being that the RRI, AG, and RVC Districts currently abut cohesively and being that the subject sites are already developed, the County finds that the proposed Rezoning will not cause undue negative impacts to the subject sites or neighboring properties or deter future development.*

Factor #3 The amendment will not cause traffic hazard or congestion;

Finding #3 *The subject sites have been developed for residential and church purposes. While each site generates a certain level of traffic (pottery tour and church functions), the County finds that the proposed Rezoning itself will have no impact on current or future traffic hazards or congestion.*

Factor #4 The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and

Finding #4 *The County finds that the proposed Rezoning meets the intent of the land use goals identified in Chapter 9 of the Comprehensive Plan by preserving the County's rural character and supporting compatible agricultural and rural residential development in the County.*

Factor #5 The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.

Finding #5 *The proposed Rezoning meets the intent of the land use goals identified in the Comprehensive Plan as described in Finding #4 above. Further, the County finds that the proposed Rezoning of Rural Residential I (RRI) District to Agricultural (AG) District meets the intent and purposes of the Zoning Ordinance in that the existing uses (residential and*

church facilities) meet the intent of the AG District and are compatible with the adjacent RRI and RVC Districts.

TOWNSHIP RECOMMENDATION

The Fish Lake Town Board reviewed the proposed Rezoning at its September 12th meeting and **recommended approval with no conditions.**

STAFF RECOMMENDATION

Staff believes that the proposed Rezoning complies with and is consistent with the intent of the County's Zoning Ordinance and the goals identified by the Comprehensive Plan. Barring any new or unknown evidence of compliance discovered after the completion of this report or during the course of the public hearing, **staff recommends approval** and has prepared a resolution for the Commission's consideration.

OPTIONS

1. Recommend that the County Board **approve** the Rezoning as presented or amended.
2. Should the Planning Commission determine that the proposed Rezoning does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Rezoning based on factors deemed appropriate. *(Note: The Commission will need to include specific finding(s) for denial in its motion, using Zoning Ordinance Section 8.08 for reference.)*
3. Recommend that the County Board **extend the review period** an additional 60 days to allow for submission of additional supporting documentation and/or further review and consideration, as allowed by Minnesota Statute 15.99. The current 60-day review period expires on November 6, 2022.

ACTION REQUESTED

Motion to adopt Resolution No. PC2022-1001, a resolution recommending approval of the Rezoning of PIDs 03.00379.10 and 03.00400.00 from Rural Residential I (RRI) District to Agricultural (AG) District, as presented or amended.

ATTACHMENTS

1. Application dated received August 24, 2022
2. Aerial location map (1) – subject sites
3. Aerial location map (2) – vicinity map
4. Aerial location map (3) – current zoning
5. Draft Resolution No. PC2022-1001

CC: Robert Briscoe & Mary Everett, property owners
Fish Lake Lutheran Church, property owner
Matthew Krousey, applicant
County file

Permit #

22-1670

PLANNING ADMINISTRATIVE FORM

Chisago County Department of Environmental Services

Recording Fee 46.00

Base Fee 525.00

Wetland or Septic Fees

Plat Compliance Fee

TOTAL FEE 571.00

03.00400.00

03.00379.10

Street Location 2785 Stark Road, Harris, MN 55032

Tax Parcel #

Legal Description See Attached

E-Mail Address:

Owner: Robert L. Briscoe and Mary L. Everett

Day Phone

Address 1225 LaSalle Ave. #1005, Minneapolis, MN 55403

Applicant (if other than owner) Matthew D. Krousey

Day Phone

Address 2785 Stark Road, Harris, MN 55032

Type of Request:

Variance ☐

Preliminary Plat ☐

Administrative Appeal ☐

Administrative Permit ☐

Conditional Use Permit ☐
(or amendment to CUP)

Ordinance Amendment ☐

Interim Use Permit ☐
(or amendment to IUP)

Rezoning ☒

Applicable section of ordinance:

Description of request: The Rezoning of parcels 03.00379.10 and 03.00400.00 from their current designation

as RRI to AG.

If Variance Application, Brief

Description of Practical
Difficulty

Signature of Applicant

Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Date Received

Date Complete

60 / 120 Day Review Period

Date of Public
Hearing:

TOWNSHIP PRESENTATION FORM

Street Location 43353 Cedar Crest Trail Harris, MN 55032
2785 Stark Road, Harris, MN 55032

Legal Description See Attached

Owner Name Fish Lake Lutheran
Robert L. Briscoe and Mary L. Everett Day Phone: [REDACTED]

Address: 43353 Cedar Crest Trail Harris, MN 55032
1225 LaSalle Ave. #1005, Minneapolis, MN 55032

Applicant: Matthew D. Krousey Day Phone: [REDACTED]
 (If other than owner)

Address: 2785 Stark Road, Harris, MN 55032

Type of Request: Variance ☐ Preliminary Plat ☐
 Administrative Appeal ☐ Administrative Permit ☐
 Conditional Use Permit ☐ Rezoning ☒
(or amendment to CUP)
 Interim Use Permit ☐ Ordinance Amendment ☐

Description of Request: The Rezoning of parcels 03.00379.10 and 03.00400.00 from their current designation as RRI to AG.

Fish Lake Date of County Public Hearing: Oct. 6, 2022 Thurs
 Date of Township Presentation: Sept 12, 2022 Morn

TOWNSHIP ACTION TAKEN

Approved ☒ Denied ☐

Reasons and Conditions: _____

Signature of Township Officers:

Brian [Signature]
James [Signature]
[Signature]

Rev. Deleen M. M. Saunders

8/24/22

Matthew D. Krousey
 Signature of Applicant

8/24/22
 Date

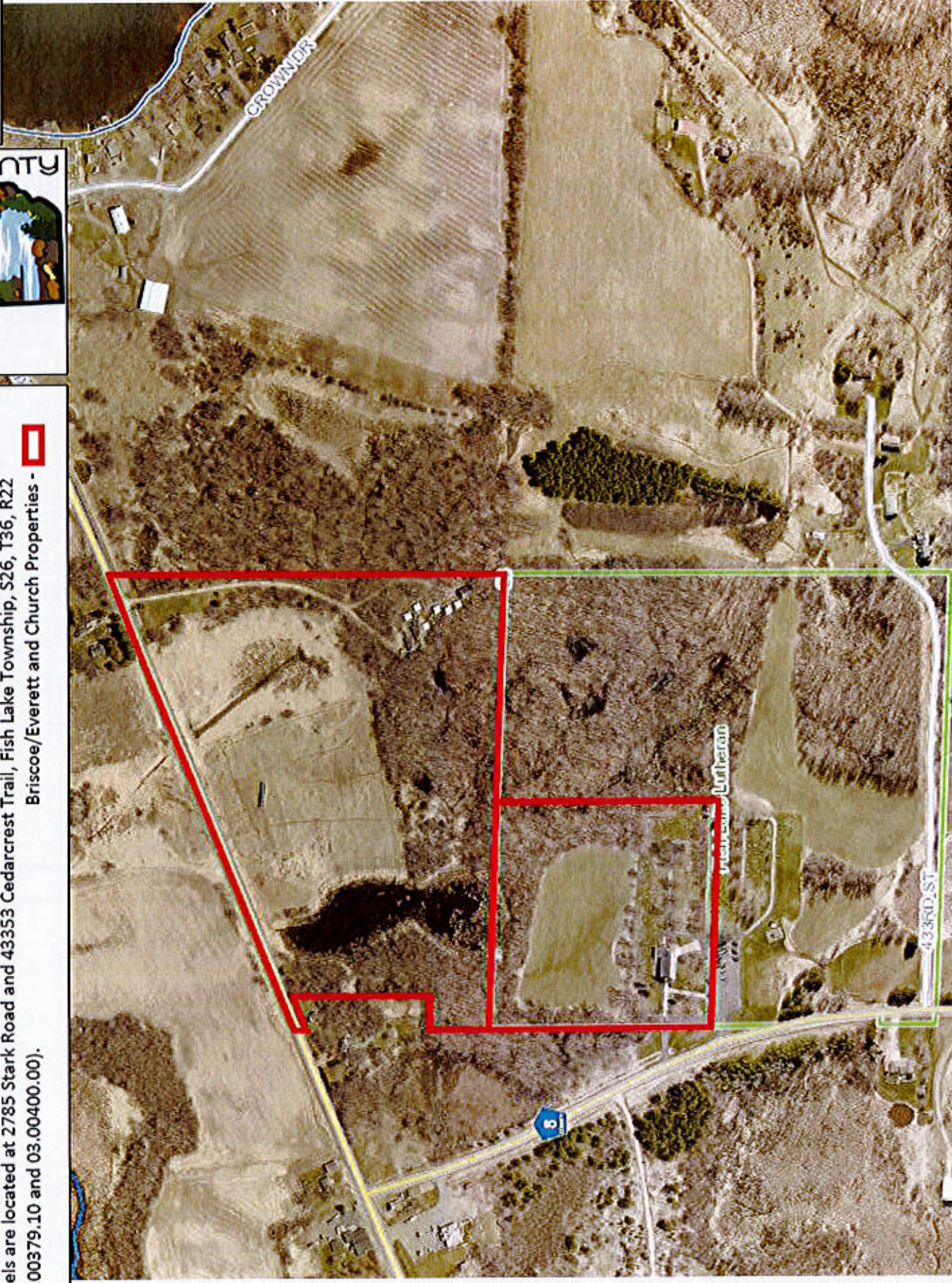
Robert Briscoe & Mary Everett & Fish Lake Lutheran Church - Aerial Photo

Robert Briscoe & Mary Everett and Fish Lake Lutheran Church - Robert Briscoe & Mary Everett, property owners, Matthew Krousey, applicant, and Fish Lake Lutheran Church, property owner, are requesting the Rezoning of two parcels, totaling 36± acres, from Rural Residential I (RR1) District to Agricultural (AG) District. The two parcels are located at 2785 Stark Road and 43353 Cedarcrest Trail, Fish Lake Township, S26, T36, R22 (PID# 03.00379.10 and 03.00400.00).

Briscoe/Everett and Church Properties - 



Fish Lake Township
S26, T36, R22
PID # 03.00379.10
& 03.00400.00



Robert Briscoe & Mary Everett & Fish Lake Lutheran Church - Aerial Photo

Robert Briscoe & Mary Everett and Fish Lake Lutheran Church – Robert Briscoe & Mary Everett, property owners, Matthew Krousey, applicant, and Fish Lake Lutheran Church, property owner, are requesting the Rezoning of two parcels, totaling 36± acres, from Rural Residential I (RRI) District to Agricultural (AG) District. The two parcels are located at 2785 Stark Road and 43353 Cedarcrest Trail, Fish Lake Township, S26, T36, R22 (PID# 03.00379.10 and 03.00400.00).

Briscoe/Everett and Church Current Zoning -

Briscoe/Everett and Church Current Zoning -

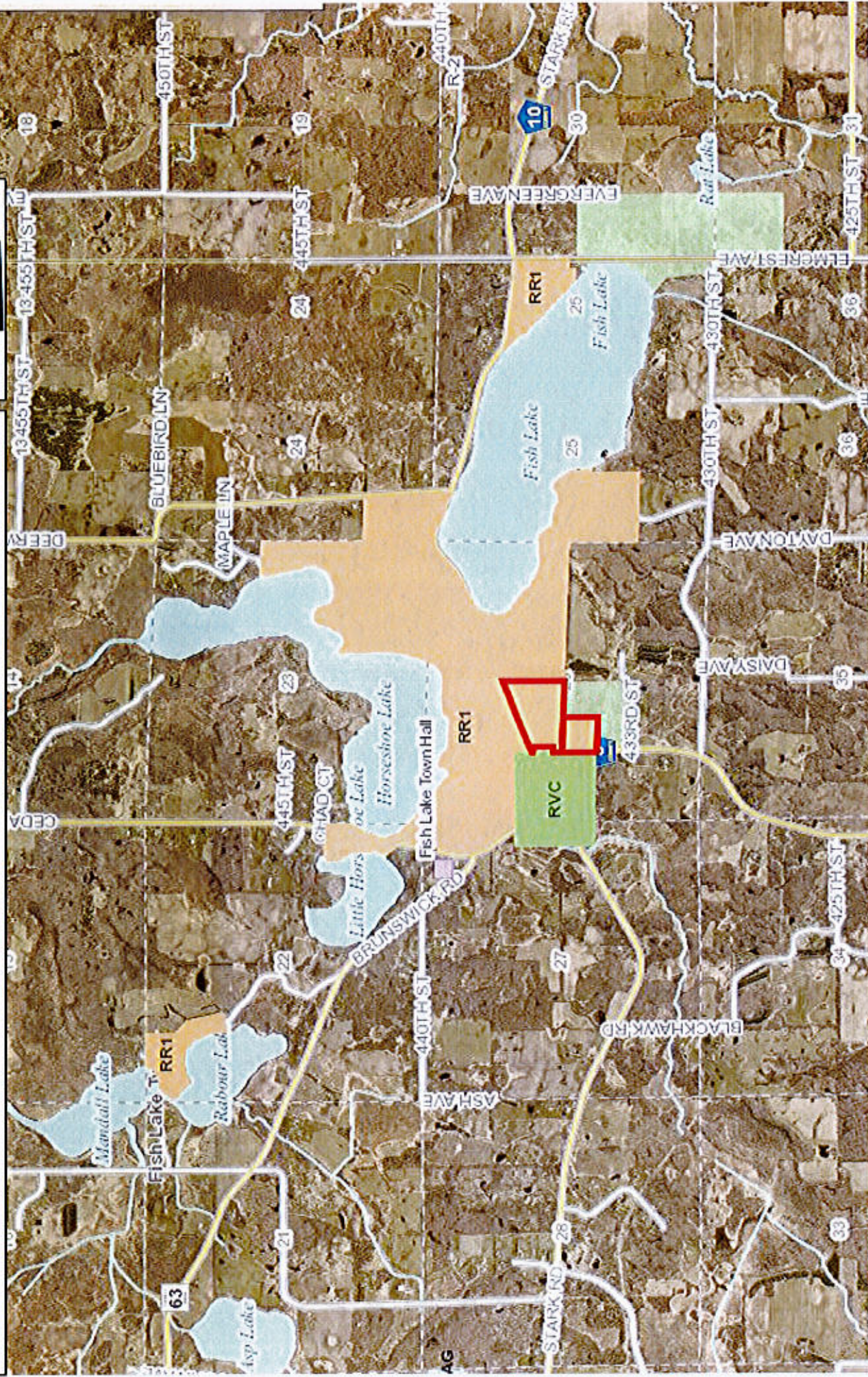


Robert Briscoe & Mary Everett & Fish Lake Lutheran Church - Aerial Photo

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Briscoe/Everett and Church Current Zoning -

Fish Lake Township
S26, T36, R22
PID # 03.00379.10
& 03.00400.00



RESOLUTION NO. PC2022-1001

A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF THE REZONING OF PIDS 03.00379.10 AND 03.00400.00 FROM
RURAL RESIDENTIAL I (RRI) DISTRICT TO AGRICULTURAL (AG) DISTRICT

WHEREAS, Robert Briscoe & Mary Everett, property owners of PID 03.00379.10, and Fish Lake Lutheran Church, property owner of PID 03.00400.00, and applicant Matthew Krousey submitted an application dated received August 24, 2022 and considered complete on September 7, 2022 for the Rezoning of two parcels from Rural Residential I (RRI) District to Agricultural (AG) District; and

WHEREAS, the subject sites are located at 2785 Stark Road and 43353 Cedarcrest Trail / CSAH 8 in Fish Lake Township; and

WHEREAS, the subject area is 36± acres in size and is legally described as:

PID 03.00379.10

That part of the Southeast Quarter of the Northwest Quarter, Section 28, Township 36, Range 22, Chisago County, Minnesota described as follows:

- Beginning at the southeast corner of the said Southeast Quarter of the Northwest Quarter; thence westerly, along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 655 feet; thence northerly, parallel with the east line of said Southeast Quarter of the Northwest Quarter, a distance of 412 feet; thence easterly, parallel with said south line, a distance of 412 feet; thence northerly, parallel with said east line, a distance of 611 feet, more or less, to the centerline of the so-called Harris and Fish Lake Road (Chisago County State Aid Highway No. 10); thence northeasterly, along said centerline, a distance of 255 feet, more or less, to said east line; thence southerly, along said east line, a distance of 1138 feet, more or less, to said point of beginning.

AND

All that part of the Southeast Quarter of Northwest Quarter (SE1/4 of NW1/4) of Section Twenty-six (26), Township Thirty-six (36), Range Twenty-two (22), lying South of the centerline of the so-called Harris and Fish Lake Road (Chisago County State Aid Highway No. 10), except that part of said tract heretofore conveyed and described as follows: Commencing at a point on the 1/16 Section line 172 feet North of the Southwest corner of said SE1/4 of NW1/4; thence running East at right angles with said 1/16 Section line a distance of 100 feet; thence running North parallel with said 1/16 Section line to the South boundary line of the so-called Harris and Fish Lake road; thence westerly on the South boundary of said road to the point where said line intersects with the aforesaid 1/16 Section line; thence running South on said 1/16 Section line to the place of beginning, except

Beginning at the southeast corner of said Southeast Quarter of the Northwest Quarter; thence westerly, along the south line of said Southeast Quarter of the Northwest Quarter, a distance of 655 feet; thence northerly, parallel with the east line of said Southeast Quarter of the Northwest Quarter, a distance of 412 feet; thence easterly, parallel with said south line, a distance of 412 feet; thence northerly, parallel with said east line, a distance of 611 feet, more or less, to the centerline of the so-called Harris and Fish Lake Road (Chisago County State Aid Highway No. 10); thence northeasterly, along said centerline, a distance of 255 feet, more or less, to said east line; thence southerly, along said east line, a distance of 1138 feet, more or less, to said point of beginning.

AND

PID 03.00400.00

The Northwest ten acres of the Northeast Quarter of the Southwest Quarter of
Section 26, Township 36, Range 22
Chisago County, Minnesota

WHEREAS, notice was provided and on October 6, 2022 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant and/or property owners, and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Rezoning and made the following findings per Zoning Ordinance Section 8.08:

- | | |
|------------|--|
| Factor #1 | Whether the amendment will create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area; |
| Finding #1 | <i>Both subject sites are developed – one for residential purposes and the other with a church and related functions (i.e., cemetery, parking areas, and detached accessory structures) – and there is no indication that the current uses are creating an excessive demand on public facilities or utilities. While the proposed Rezoning may allow for additional development (i.e., detached accessory structures), the County finds no indication that the principal uses of the sites will change or increase the demand on existing parks, schools, streets or other public facilities or utilities.</i> |
| Factor #2 | Whether the amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development; |
| Finding #2 | <i>The proposed Rezoning will adjust an existing zoning district boundary between the Rural Residential I (RRI) District, the Agricultural (AG) District, and the Rural Village Center (RVC) District. Being that the RRI, AG, and RVC Districts currently abut cohesively and being that the subject sites are already developed, the County finds that the proposed Rezoning will not cause undue negative impacts to the subject sites or neighboring properties or deter future development.</i> |
| Factor #3 | The amendment will not cause traffic hazard or congestion; |
| Finding #3 | <i>The subject sites have been developed for residential and church purposes. While each site generates a certain level of traffic (pottery tour and church functions), the County finds that the proposed Rezoning itself will have no impact on current or future traffic hazards or congestion.</i> |
| Factor #4 | The amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and |
| Finding #4 | <i>The County finds that the proposed Rezoning meets the intent of the land use goals identified in Chapter 9 of the Comprehensive Plan by preserving the County's rural character and supporting compatible agricultural and rural residential development in the County.</i> |

Factor #5 The amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.

Finding #5 *The proposed Rezoning meets the intent of the land use goals identified in the Comprehensive Plan as described in Finding #4 above. Further, the County finds that the proposed Rezoning of Rural Residential I (RRI) District to Agricultural (AG) District meets the intent and purposes of the Zoning Ordinance in that the existing uses (residential and church facilities) meet the intent of the AG District and are compatible with the adjacent RRI and RVC Districts.*

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, that the Planning Commission hereby recommends approval of the Rezoning of PIDs 03.00379.10 and 03.00400.00 from Rural Residential I (RRI) District to Agricultural (AG) District as requested by Robert Briscoe & Mary Everett, Fish Lake Lutheran Church, and Matthew Krousey.

Adopted by the Planning Commission of Chisago County, Minnesota, this 6th day of October, 2022.

James McCarthy _____
Frank Storm _____
John Sutcliffe _____

Dave Whitney _____
Jolene Wille _____
Chip Yeager _____

Jim McCarthy
Vice Chair

ATTEST:

Beth Gervais
Land Services Coordinator

Chisago County Request For Board Action

Meeting Date: October 19, 2022	Item Number: 10
Title of Item for Consideration: Chad and Kari Rohman Accessory Structure Interim Use Permit (IUP) 60 Day Extension	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services/Zoning
Previous Action on this Matter:	
Background: Chad and Kari Rohman have applied for an IUP to allow an accessory structure on property located at XXXXX Andee Avenue (PID 03.00441.31) prior to construction of a dwelling. The land is more than 10 acres in size, so they're applying pursuant to Zoning Ordinance Section 4.08.1, A. 3. in which there is no requirement for a dwelling. The application has been received and deemed complete; however, the very early application submittal and normal course of required meetings does not afford County Board action prior to expiration of the statutorily required 60-day agency action deadline of December 6, 2022. Following the normal course of meetings outlined below, the first opportunity for County Board receipt of a Planning Commission recommendation is December 21, 2022. Application Received: October 6, 2022 Application Deemed Complete: October 7, 2022 Technical Review Committee Meeting: November 9, 2022 Fish Lake Town Board Meeting: November 14, 2022 Planning Commission Meeting / Public Hearing: December 1, 2022 60-Day Review Period Expires: December 6, 2022 County Board Meeting: <u>December 21, 2022</u> To avoid conflict with Mn Statute 15.99 60-day agency action requirements staff requests the County Board extend the review period to allow sufficient time for all required meetings. A full 60-day extension to February 4, 2023, is recommend, but pending completion and receipt of the Planning Commission public hearing and recommendation process, County Board action should be anticipated as early as December 21, 2022.	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board extend consideration of the Chad and Kari Rohman Interim Use Permit application to allow an accessory structure on property located at XXXXX Andee Avenue. The suggested motion to approve this action is as follows: <i>"Move to extend the time for acting on the Chad and Kari Rohman Interim Use Permit application to allow an accessory structure on property located at XXXXX Andee Avenue (PID 03.00441.31) for a period not to exceed 60 days so as to allow Planning Commission review no later than December 1, 2022, and County Board action anticipated on December 21, 2022 but no later than February 1, 2023; and direct staff to issue written notification of the extension authorized by this motion and that such written notification state that the extension is made to accommodate the early application and allow for regularly scheduled course of meetings and review prior to County Board receipt of the required Planning Commission recommendation."</i>	
Implications of Action: Recommended Board action extends the 60-day agency action deadline to coincide with the regularly scheduled course of public hearing and review meetings.	

Budget/Financial Implications: None.

Legal/Policy Implications: The recommended Board consideration and action(s) are in conformity with generally accepted practices, procedures and interpretations of applicable state statutes and County ordinances and policies.

Administrator's Recommendation

Approve _____

Deny _____

Other COB

Motion By:

Seconded by:

To:

Action on Motion:

Aye _____

Nay _____

Abstain _____

Chisago County Request For Board Action

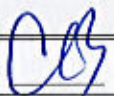
Meeting Date: October 19, 2022	Item Number: 11
Title of Item for Consideration: Environmental Connections Newsletter Agreement with Leffler Printing	
Action Requested by: Kurt Schneider, Director	Department: Environmental Services/Zoning: Solid Waste Division
Previous Action on this Matter: On November 6, 2019, a now expired two-year contract extension with Nystrom Publishing was approved to produce the Environmental Connections Newsletter.	
Background: The Environmental Connections Newsletter has been produced by the county since 2002. It is produced two times per year and delivered to every household and business in the county. The purpose is to inform County residents and businesses about what programs the County is spending the State <i>Select Committee on Recycling and Environment (SCORE)</i> waste reduction and recycling funding (M.S. 113A.557) and their County Waste Management funds on. These programs carry out statutory mandates concerning waste handling and waste reduction to aid in protecting and improving the quality of life for residents and the environment. The previous newsletter production contract with Nystrom Publishing expired at the end of 2021. Pursuant to purchasing policy requirements, the Department solicited two competitive quotes to continue production of the newsletter. The lowest quote received (design, print, mail service) per issue is from Leffler Printing Company, at \$5481 per issue. There are two issues produced per year, so the calendar year price is \$10,962 plus bulk postage. Consistent with County Purchasing Policy, staff recommends accepting the lowest quote and awarding the newsletter contract to Leffler Printing for a two- year term with the option for a two-year extension. Leffler has informed that due to current market and supply chain issues, paper prices are volatile, and therefore could cause a future change. If paper prices change, the contract states the new price must be agreed to by both parties. There is also a 60-day cancellation option for either party. <i>(Note – The secondary quote was from Nystrom Publishing at \$5,911.07 per issue and the vendor indicated they would not sign a contract due to paper market volatility).</i>	
Attachment(s): • Agreement for Creation of the Chisago County Environmental Connections Newsletter	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board of Commissioners award the contract for the creation of the newsletter. The suggested motion is as follows: <i>“Move to Approve the Agreement for Creation of the Chisago County Environmental Connections Newsletter with Leffler Printing Company as presented.”</i>	

Implications of Action: This action allows the Department to continue to produce the Environmental Connections Newsletter, communicating to County residents how we are spending their Solid Waste Fund dollars to carry out our mandate to improve the quality of life for residents and to protect their local environment.

Budget/Financial Implications: The newsletter is budgeted. Production costs including postage will be approximately \$10,981 per issue. Production of two issues costs approximately \$22,000 annually. Payment for the newsletter is sourced from the dedicated Waste Management Fund.

Legal/Policy Implications: The county is required by State Statute to conduct public environmental education on waste and recycling and the newsletter assists in fulfilling that obligation. The Agreement has been reviewed and approved as to form by the County Attorney's office.

Administrator's Recommendation

Approve 

Deny _____

Other _____

Motion By:

Seconded by:

To:

Action on Motion:

Aye _____

Nay _____

Abstain _____

AGREEMENT FOR CREATION OF THE CHISAGO COUNTY ENVIRONMENTAL CONNECTIONS NEWSLETTER

THIS AGREEMENT is made by and between the County of Chisago, a political subdivision of the State of Minnesota, 313 North Main Street, Center City, Minnesota 55012, hereinafter referred to as the "County" and Leflet Printing Company, 7429 Bush Lake Rd., Edina, MN 55439 hereinafter referred to as "Contractor."

WITNESSETH:

WHEREAS, the County requested quotes to create the Chisago County Environmental Connections Newsletter; for the Chisago County Department of Environmental Services; and

WHEREAS, the Chisago County Environmental Connections Newsletter is educational and informational, and contains stories highlighting County environmental programs and solid waste issues that are current and relevant to County residents and businesses; and

WHEREAS, the Contractor has quoted a price and has the necessary expertise to provide such a service; and

WHEREAS, the County wishes to purchase this professional service from the Contractor.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed and understood as follows:

1. TERM

This Agreement will commence on the 19th day of October 2022 and terminate on the 31st day of December 2024, with an option to amend the Agreement with a two-year extension beyond the termination date.

2. THE AGREEMENT DOCUMENTS

This Agreement includes and incorporates the following documents as though set forth herein or attached hereto in their entirety:

- A. This Agreement;
- B. Insurance documents;
- C. Other attachments, Addenda and any Modifications hereto.

Where an inconsistency exists between this Agreement and any aforementioned documents, this Agreement shall control.

3. SERVICES

Contractor hereby covenants and agrees to produce a newsletter according to the following specifications and components and provide all personnel and materials for the price and compensation under all terms and requirements set forth and specified herein:

- A. Help coordinate newsletter production schedule
- B. Layout of the newsletter, including supplying relevant graphics where needed
- C. Allow for three proofing rounds of newsletter with county staff
- D. Provide a low-resolution electronic version of newsletter for county website
- E. Print two issues per year, usually spring and fall
- F. Two color, currently black and green

- G. Eight pages, size 8.5" x 11"
- H. Folded in half for mailing purposes
- I. 60# offset paper
- J. Bulk mailing (simplified carrier route) of newsletter to every household and business address in the county (currently approximately 28,200 mailings)
- K. Supply the County with 100 extra newsletter pieces
- L. Supply a certificate of commercial general liability insurance with signed contract

4. COUNTY'S DUTIES

The County shall perform those duties and responsibilities required to produce a newsletter issue, and described herein:

- A. Help coordinate newsletter production schedule with Contractor
- B. Coordinate Supply the articles and associated photographs and graphics, necessary to complete a newsletter issue
- C. Proof layouts in a timely manner

5. COMPENSATION

Compensation paid to Contractor as specified in the quote by Contractor, for each newsletter, completed per the specifications set forth in section 3. Services, at a cost not to exceed \$ 5481.00 for a quantity of 28,300) per issue, up to two issues annually, over the term of the service.

Paper prices may change per market conditions, as agreed to in writing by both parties before production of a particular issue.

6. BILLING AND PAYMENT

Upon completion of the newsletters, described in Section II above, the Contractor will submit to the County an itemized billing statement containing such information as is required by the County. Within forty-five (45) days of its receipt of the billing statement, the County will make payment to the Contractor or make reasonable arrangements for payment acceptable to the Contractor.

7. AUTHORIZED REPRESENTATIVES

All official notifications, including but not limited to, cancellation of this contract must be sent to the other party's authorized representative.

- A. County's authorized representative for the purpose of administration of this contract is:

Name:	Lisa Thibodeau
Address:	39649 Grand Ave., North Branch, MN 55056
Telephone:	(651) 213-8923
E-Mail:	lisa.thibodeau@chisagocountymn.gov
Fax:	(651) 243-5286

- B. The CONTRACTOR'S authorized representative for the purpose of administration of this contract is:

Name:	Dean Simon
Address:	7429 Bush Lake Rd., Edina, MN 55439
Telephone:	952.937.5775
E-Mail:	simon@lefilerprinting.com
Fax:	

8. AUDIT DISCLOSURE AND RETENTION OF RECORDS

The Contractor agrees to make available to duly authorized representatives of the County and of the State of Minnesota, for the purpose of audit examination pursuant to Minn. Stat. § 16C.05, any books, documents, papers, and records of the Contractor that are pertinent to the Contractor's provision of services hereunder. The Contractor further agrees to maintain all such required records for six years after receipt of final payment and the closing of all other related matters.

9. INDEMNIFICATION

The Contractor agrees that it will hold harmless, indemnify, and defend the County, its commissioners, officers, agents, and employees against any and all claims, expenses (including attorney's fees), losses, damages or lawsuits for damages arising from or related to providing or failing to provide services hereunder, including but not limited to the negligence of the Contractor.

10. INSURANCE

The Contractor will procure and maintain in full force and effect during the term of this Agreement, insurance coverage for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees, or sub-contractor as specified in: Exhibit A - Insurance Coverage.

11. SERVICES NOT PROVIDED FOR

No claim for services furnished by Contractor not specifically provided for herein will be honored by the County.

12. INDEPENDENT CONTRACTOR

It is agreed by the parties that at all times and for all purposes hereunder, the relationship of the Contractor to the County is that of an independent Contractor and not an employee or agent of the County.

13. COMPLIANCE WITH LAWS

In providing all services pursuant to this Agreement, the Contractor will abide by all statutes, ordinances, rules, and regulations pertaining to or regulating the provision of such services, including those now in effect and hereafter adopted. Any violation of said statutes, ordinances, rules, or regulations will constitute a material breach of this Agreement and will entitle the County to terminate this Agreement immediately upon delivery of written notice of termination to the Contractor.

14. STATE TAX LAWS

The County will not make final payment until the Contractor has made satisfactory showing that it has complied with the provisions of Minn. Stat. § 290.92 requiring the withholding of State Income Tax from wages paid to the Contractor's employees and to employees of any subcontractor hired by the Contractor for work performed under this Agreement. The Contractor will provide the County with a letter stating the requirements have been met.

15. SUBCONTRACTING AND ASSIGNMENTS

Contractor will not enter into any subcontract for performance of any of the services contemplated under this Agreement, nor assign any interest in the Agreement without the prior written approval of the County and subject to such conditions and provisions as the County may deem necessary. The Contractor will be responsible for the performance of all sub-contractors and comply with prompt payment requirements of those subcontractors as required by Minn. Stat. § 471.425.

16. MODIFICATIONS

Any material alterations, modifications, or variations of the terms of this Agreement will be valid and enforceable only when they have been reduced to writing as an amendment and signed by the parties.

17. AFFIRMATIVE ACTION

In accordance with Chisago County's Affirmative Action Policy and County's policies against discrimination, no person will illegally be excluded from full-time employment rights in, be denied the benefits of, or be otherwise subjected to discrimination in the program which is the subject of this Agreement on the basis of race, creed, color, sex, sexual orientation, marital status, public assistance status, age, disability, or national origin.

18. DATA PRACTICES

In collecting, storing, using, and disseminating data on individuals in the course of providing services hereunder, the Contractor agrees to abide by all pertinent state and federal statutes, rules and regulations covering data privacy, including, but not limited to, the Minnesota Data Practices Act and all rules promulgated pursuant thereto by the Commissioner of the Department of Administration.

All data created, collected, received, stored, used, maintained, or disseminated by the Contractor in performing this Agreement is also subject to the provisions of Minn. Stat. §13 et. seq. (the Minnesota Government Data Practices Act) and, pursuant to that statute, the Contractor must comply with the requirements of that statute as if it were a government entity. All remedies set forth in Minn. Stat. § 13.08 will also apply to the Contractor. The Contractor is not required to provide public data to the public if that same data is available from the County, unless stated otherwise in this Agreement.

19. EARLY TERMINATION

This Agreement may be terminated by either party at any time, with or without cause, upon sixty (60) days written notice delivered by mail or in person. Notice to Contractor will be delivered to Contractor at the address first written above. If notices are delivered by mail, they will be effective two days after mailing.

Additionally, notwithstanding any provisions contained herein to the contrary, in the event that the County Board does not appropriated funds for this Agreement for fiscal year 2023 or fiscal year 2024, the County may terminate this Agreement without penalties of any sort.

20. DEFAULT AND REMEDY

Failure of the Contractor (including the failure of any employee or agent of the Contractor) to abide by any of the terms, conditions, or requirements expressed in this Agreement will constitute a default if not properly corrected by the Contractor upon receipt of a notice of deficiency and a request for compliance from the County. In the event of a default by the Contractor, the County may cancel this Agreement by sending a written notice of cancellation to the Contractor at the address stated herein, and may recover from the Contractor any damages sustained by the County which may directly or consequently arise out of the breach of this Agreement by the Contractor.

21. OWNERSHIP OF MATERIALS AND INTELLECTUAL PROPERTY RIGHTS.

- A. County shall own all rights, title and interest in all of the materials conceived or created by the CONTRACTOR, or its employees or subcontractors, either individually or jointly with others and which arise out of the performance of this contract, created and paid for under this contract, including any inventions, reports, studies, designs, drawings, specifications, notes, documents, software and documentation, computer based training modules, electronically, magnetically or digitally recorded material, and other work in whatever form (hereinafter MATERIALS).

The CONTRACTOR hereby assigns to County all rights, title, and interest to the MATERIALS. The CONTRACTOR shall, upon request of County, execute all papers and perform all other acts necessary to assist County to obtain and register copyrights, patents or other forms of protection provided by law for the MATERIALS. The MATERIALS created under this contract by the CONTRACTOR, its employees, or subcontractors, individually or jointly with others, shall be considered "works made for hire" as defined by the United States Copyright Act. All of the MATERIALS, whether in paper, electronic, or other form, shall be remitted to County by the CONTRACTOR, its employees and any subcontractors, and the CONTRACTOR shall not copy, reproduce, allow, or cause to have the MATERIALS copied, reproduced, or used for any purpose other than performance of the CONTRACTOR'S obligations under this contract without the prior written consent of County's authorized representative.

- B. The CONTRACTOR represents and warrants that MATERIALS produced or used under this contract do not and will not infringe upon any intellectual property rights of another, including, but not limited to, patents, copyrights, trade secrets, trade names, and service marks and names. The CONTRACTOR shall indemnify and defend, to the extent permitted by the law, County at the CONTRACTOR'S expense from any action or claim brought against County to the extent that it is based on a claim that all or part of the MATERIALS infringe upon the intellectual property rights of another. The CONTRACTOR shall be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages, including, but not limited to, reasonable attorney fees arising out of this contract, amendments, and supplements thereto, which are attributable to such claims or actions.

If such a claim or action arises, or in the CONTRACTOR'S or County's opinion is likely to arise, the CONTRACTOR shall, at County's discretion, either procure for County the right or license to continue using the MATERIALS at issue or replace or modify the allegedly infringing MATERIALS. This remedy shall be in addition to and shall not be exclusive to other remedies provided by law.

22. ENTIRE AGREEMENT

It is understood and agreed by the parties that the entire agreements of the parties is contained herein and the identified Agreement Documents and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the County and Contractor relating to the subject matter hereof. The parties hereto revoke any prior oral or written agreement between themselves and hereby agree that this Agreement is the only and complete agreement regarding the subject hereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands.

COUNTY OF CHISAGO

CONTRACTOR

By: _____

Rick Greene, Chair
County Board of Commissioners

By: _____

Its: _____

Dated: _____

Dated: _____

ATTEST

By: _____

Chase E. Burnham
Clerk to the Board of Commissioners

Dated: _____

RECOMMENDED BY:

Chisago County Environmental Date
Services/Zoning Department Office

APPROVED AS TO FORM:

JANET REITER
COUNTY ATTORNEY

By: Jeffrey B. Fuge 10/11/2022

Jeffrey B. Fuge Date
Assistant County Attorney

EXHIBIT A - INSURANCE REQUIREMENTS

Contractors will procure and maintain for the duration of the contract, insurance coverage for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, their agents, representatives, employees, or sub-contractor.

1. Minimum Scope of Insurance: Coverage will be at least as broad as follows:
 - 1.1 Insurance Services Office (ISO) Commercial General Liability coverage and will cover liability arising from premises, operations, independent Contractors, products-completed operations, personal injury, advertising, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract).
 - 1.2 Workers' Compensation as required by the State of Minnesota, and Employer's Liability insurance.

2. Minimum Limits of Insurance: Contractor will maintain NO LESS THAN:
 - 2.1 Commercial General Liability (CGL) and if necessary, Commercial Umbrella Liability: \$1,500,000 each occurrence. If Commercial General Liability insurance contains a general aggregate limit, it will apply separately to this project/location, or the general aggregate limit will be twice the required occurrence limit.

Employers Liability: as required by the State of Minnesota

3. Deductibles and Self-Insured Retention

Any deductibles or self-insured retention must be declared to and approved by the County. At the option of the County, either the insurer will reduce or eliminate such deductibles or self-insured retention as respects Chisago County, agents, officers, directors, and employees; or the Contractor will procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses; or the Contractor will provide County-requested financial statements for the purpose of verifying financial solvency, and acceptance of deductibles or self-insured retention based on this verification.

4. Other Insurance Provisions
 - 4.1. The General Liability policy is to contain, or be endorsed to contain, the following provision:
 - A. Chisago County, its agents, officers, directors, and employees are to be covered as an additional insured for all liability coverage's using ISO additional insured endorsement or substitute providing equivalent coverage.
 - B. The General Liability policy will apply as primary insurance with respect to any other insurance or self-insurance program maintained by the County.
 - C. The County's insurance will be in excess of the Contractor's insurance and will not contribute to it.
 - D. The Contractor's coverage will contain no special limitations on the scope of protection afforded to the County, its agents, officers, directors, and employees.
 - 4.2 Any failure to comply with reporting provisions of the policies will not affect coverage provided to the County, its officers, officials, employees, or volunteers.
 - 4.3 Each insurance policy required by this clause will be endorsed to state that coverage will not be suspended, voided, or canceled by either party, reduced in coverage or in limits, or non-renewed, except after thirty (30) days prior written notice by certified mail, return receipt requested,

has been given to the County.

- 4.4 The Contractor will include all sub-contractors as insureds under its policies or furnish separate certificates and endorsements for each sub-contractor where applicable. All coverage for sub-contractors will be subject to all of the requirements stated herein.
- 4.5 Each insurance policy will include an endorsement that waives any claim or right in the nature of subrogation to recover against the County, its agents, officers, directors, and employees.

5. Verification of Coverage

The Contractor will furnish the County with certificates of insurance and original endorsements effecting coverage required by this clause. The certificate attached to this contract should be signed by a person authorized by that insurer to bind coverage on its behalf. A certificate other than the one attached may be used if coverages and endorsements match or exceed the coverage's identified on the attached certificate. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies and endorsements at any time.

Chisago County Request for Board Action

Meeting Date: October 12, 2022	Item Number: 12
Title of Item for Consideration: Report and Recommendations from the October 12, 2022 Meeting of the Budget and Finance Committee	
Action Requested by: Budget & Finance	Department: County Board of Commissioners
Previous Action on this Matter: From time to time, the County Board discusses issues of importance/interest to the Board and/or its Committees or individual members.	
Background: Time has been set aside at tonight's meeting to review items discussed by the Budget & Finance Committee at its October 12th Budget and Finance Meeting. Of note are the following, items, along with any recommended Board actions if the Board of Commissioners chooses to approve the Budget and Finance Committee's recommendations: <u>Current Year-to-Date Financial Update:</u> The Committee reviewed the current up to date financials; operating budget activity, cash flow considerations, monthly-to-annual payroll, and the local option sales and wheelage tax numbers. <u>The Committee recommended accepting the reports.</u> <u>Hometown Fiber:</u> Kyle Moorhead, President of Hometown Fiber, provided an update to the Committee regarding the progress of the project. Mr. Moorhead stated that the project is 95% complete. He also stated the next step will be for Hometown to make recommendations to the Committee/Board on how to proceed with implementation of the project. <u>Honeywell:</u> Cindy Auld, from Honeywell provided an update on the Energy Efficiency and Improvement project. Phase I of the project was completed and Honeywell approached the Committee for financing of Phase II. <u>The Committee requested Honeywell provide other financing options if the County is to proceed with Phase II of the overall project.</u> <u>Building Inspection Discussion:</u> Environmental Services Director Kurt Schneider discussed how the City of Stacy has recently approached the County to provide inspection services. <u>The Committee approved adding a building inspector during the first quarter of 2023 and creating a contract with the City of Stacy and recognized that there will a budget impact on the Environmental Services Department.</u> <u>Public Works Hydrant Replacement:</u> Enterprise Services Director Jon Eckel discussed an issue with a leaky hydrant at the Center City Public Works facility. County Engineer and the Committee discussed paying for the fix. <u>The Committee allocated the remaining \$10,000 of unallocated 2022 CIP to repair it if it is still</u>	

needed.

2023 CIP and ARPA:

The Committee briefly discussed the redundancy between the 2023 CIP and the available ARPA funds. The Committee formally moved items discussed at the September 13th B/F meeting in the ARPA expenditure and CIP 'buckets' for further discussion at November 9th B/F meeting. The Committee will be discussing and recommending proposing of the CIP.

KeySource:

The Committee discussed the KeySource Enterprise Services purchase. The Committee approve the request to reallocation of ENTS-068 of \$5,000 and ENTS-070 of \$25,000 to ENTS-095 (KeySecure) to cover overages.

County Commissioner Per Diems:

The Committee discussed increasing the Per Diems to \$65 per committee member for next year. The Committee recommended this amount to be approved at the County Board at the last meeting in December and for this amount to take place in 2023.

CCSO-Public Works Fleet Maintenance Discussion:

The B/F discussed dropping the Enterprise Fleet Maintenance program for Public Works to maintain the CCSO vehicles. There is believed to be a cost savings related to bulk purchasing and other efficiencies. The B/F Committee directed this discussion to the Personnel Committee to determine the internal costs before moving forward.

Attachment:

- Meeting Packet

Action Requested/Recommended: It is respectfully requested that the Chisago County Board accept the October 12th Budget and Finance Report and approve the recommendations from the Budget and Finance Committee with the following motions below. Recommended Board Action, if any, may be undertaken via the above individual motions or via the following encompassing motion:

"Move to accept the October 12th Budget and Finance Report, approve adding a building inspector during the first quarter of 2023 and creating a contract with the City of Stacy and recognized that there will a budget impact on the Environmental Services Department, approved allocating the remaining \$10,000 of unallocated 2022 CIP to repair the hydrant at the Center City Public Works if it is still needed, moved the items discussed at the September 13th B/F meeting to the ARPA expenditure and CIP 'buckets' for further discussion at November 9th B/F meeting, approve the request to reallocate funds from the ENTS-068 for \$5,000 and ENTS-070for \$25,000 to ENTS-095 (KeySecure) to cover overages, recommended \$65 per diems for County Citizen Committee to be approved at the County Board at the last meeting in December and for this amount to take place in 2023, and directed the CCSO Fleet Maintenance discussion to the Personnel Committee to determine the internal costs before moving forward."

Implications of Action: County Board consideration and approval at tonight's meeting will allow the County to continue with its various financial planning and budgeting activities.

Budget/Financial Implications: Tonight's recommended actions may approve certain specific expenditures. Tonight's actions may also have implications for future county budgets.

Legal/Policy Implications: The proposed activities are in general conformity with applicable state statutes and County authority and policies.

Administrator's Recommendation

Approve



Deny _____

Other _____

Motion By:

Seconded by:

To:

Action on Motion:

Aye _____

Nay _____

Abstain _____



BUDGET & FINANCE COMMITTEE AGENDA

Wednesday, October 12, 2022

3:00 PM • Boardroom

Chisago County Government Center, 313 N. Main St., Center City, MN 55012

PROPOSED AGENDA

- I. Current Year-to-Date Financial Update
 - A. Operating Budget Activity (P&L)
 - B. Cash Flow Considerations (CF)
 - C. Monthly-to-Annual Payroll Assessment
 - D. Local Option Sales Tax and Wheelage Tax Update
 - E. Discussion of TNT Supplement
 - F. Review of Chisago County Purchasing Policy
- II. Hometown Fiber – Kyle Moorhead, President
 - A. ARPA Project Update
 - B. Next Steps?
- III. Honeywell Phase II Project
 - A. Update
- IV. Building Inspections Discussion
 - Kurt Schneider, Environmental Services Director
- V. Chisago County Public Works Hydrant Replacement
 - A. How to pay for it?
- VI. 2023 CIP and ARPA Funding
 - Current CIP/ARPA Allocations and Requests
 - Other CIP/ARPA Requests
- VII. 2022 CIP Issue and Review
 - KeySecure Overage
- VIII. Other B/F Items

OPERATING BUDGET VS ACTUAL

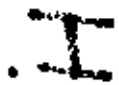
I.

(BUDGETED AMOUNTS INCLUDE AMENDMENTS AND CARRYOVERS)

AS OF 09/30/2022

75% OF YEAR COMPLETE

	2022 Budget w/ Amendments	As of 09/30/2022	% of Budget
GENERAL FUND			
Board of Commissioners	405,511.00	253,461.11	63%
District Court	216,500.00	131,703.47	61%
Law Library	154,087.00	27,394.10	18%
County Administrator	637,739.00	522,219.03	82%
Auditor-Treasurer	1,145,146.00	582,652.90	51%
Audit	70,000.00	890.00	1%
Assessor	953,936.00	677,253.70	71%
Enterprise Services	5,791,212.00	4,002,638.00	69%
Central Services	117,089.00	73,118.52	62%
Elections	230,197.00	87,593.20	38%
County Attorney	2,130,297.00	1,444,406.93	68%
County Attorney Forfeiture	-	509.83	
Recorder	379,088.00	251,939.41	66%
Recorder Compliance/Technology	2,074,645.00	24,050.44	1%
Maintenance	1,668,170.00	1,128,364.14	68%
Planning & Zoning	1,139,812.00	891,289.27	78%
General Government	1,086,911.00	1,749,683.67	161%
Non County Expense	4,700.00	2,972.00	63%
Contingency	109,747.00	-	0%
Sheriff	7,147,266.00	5,210,752.53	73%
Sheriff Forfeitures	32,210.00	-	0%
Boat & Water	52,980.00	953.10	2%
Sheriff's Reserve	5,436.00	1,340.39	25%
Snowmobile Safety	-	887.35	
Sheriff's Contingency	3,316.00	-	0%
Gun Permits	224,326.00	17,044.99	8%
Project Lifesaver	5,121.00	-	0%
Public Safety Grants	24,944.00	50,661.00	203%
Coroner	136,869.00	107,606.75	79%
County Jail	4,522,533.00	2,984,881.10	66%
Jail Canteen	98,850.00	9,473.67	10%
Probation & Parole	1,278,665.00	883,024.37	69%
Emergency Management	133,358.00	93,922.26	70%
E-911	233,664.00	-	0%
Controlled Substances - Share of Fines	7,162.00	-	0%
Historical Society	30,210.00	30,210.00	100%
Regional Library	701,000.00	693,064.00	99%
Parks	445,932.00	332,015.38	74%
County Agricultural Society	16,000.00	16,000.00	100%
County Extension Services	133,500.00	64,899.63	49%
Soil & Water	718,700.00	478,045.40	67%
Water Quality Grant	354,133.00	47,786.84	13%
Sewer Grants	34,397.00	6,500.00	19%



OPERATING BUDGET VS ACTUAL

(BUDGETED AMOUNTS INCLUDE AMENDMENTS AND CARRYOVERS)

AS OF 09/30/2022

75% OF YEAR COMPLETE

	2022 Budget w/ Amendments	As of 09/30/2022	% of Budget
Wetland Grant	109,994.00	79,866.91	73%
Watercraft Inspection	400,848.00	128,113.06	32%
Economic Development	82,000.00	40,931.00	50%
Heartland Express	-	1,543.74	
TOTAL GENERAL FUND	\$ 35,248,201.00	\$ 23,131,663.19	66%
SELF INSURANCE FUND			
Other General Government	300,000.00	40,655.34	14%
TOTAL SELF INSURANCE FUND	\$ 300,000.00	\$ 40,655.34	14%
ROAD AND BRIDGE FUND			
Surveyor	160,110.00	115,893.85	72%
Highway Administration	372,660.00	277,791.01	75%
Highway Engineering	1,536,690.00	2,092,479.27	136%
Highway Construction	11,536,893.00	10,729,244.14	93%
Highway Maintenance	5,234,846.00	3,430,268.54	66%
Equipment Maintenance/Shop	1,325,618.00	1,013,301.82	76%
Traffic Operations	551,975.00	448,744.93	81%
TOTAL ROAD AND BRIDGE FUND	\$ 20,718,792.00	\$ 18,107,723.56	87%
HEALTH AND HUMAN SERVICES			
Veterans Service	217,824.00	153,839.04	71%
Income Maintenance	3,708,596.00	2,493,262.26	67%
Social Services	10,586,147.00	6,642,841.74	63%
Local Collaborative	-	79,502.18	
Public Health Nursing	2,123,763.00	1,359,969.48	64%
TOTAL HEALTH AND HUMAN SERVICES	\$ 16,636,330.00	\$ 10,729,414.70	64%
BUILDING FUND			
General Government	524,750.00	-	
Score Grant Fund	17,000.00	-	
TOTAL BUILDING FUND	\$ 541,750.00	\$ -	0%

OPERATING BUDGET VS ACTUAL

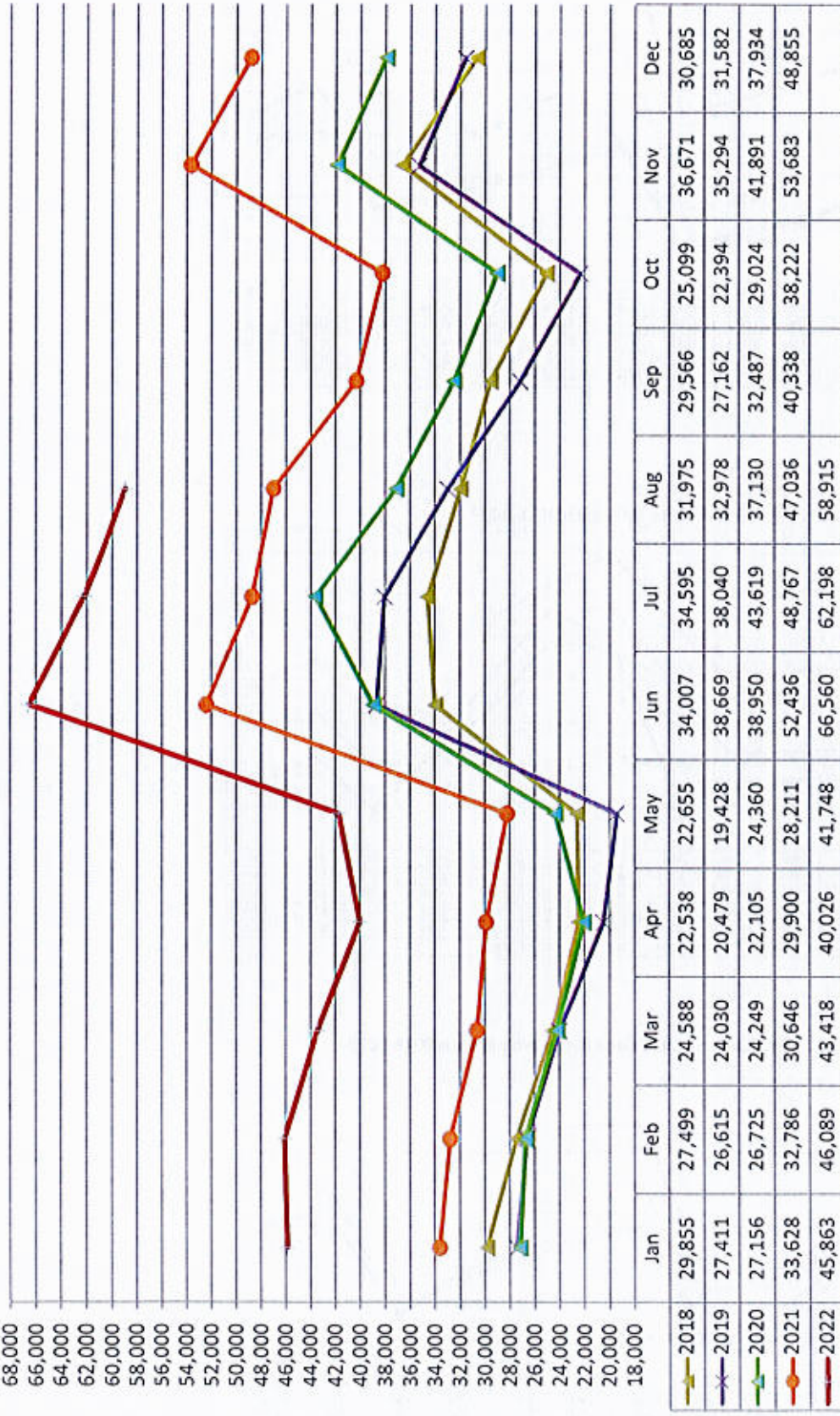
(BUDGETED AMOUNTS INCLUDE AMENDMENTS AND CARRYOVERS)

AS OF 09/30/2022

75% OF YEAR COMPLETE

	2022 Budget w/ Amendments	As of 09/30/2022	% of Budget
CAPITAL EQUIPMENT FUND			
County Administrator	30,000.00	850.00	
Auditor-Treasurer	99,800.00	32,990.00	33%
Data Processing	421,022.00	85,815.69	20%
Maintenance	137,100.00	7,803.00	6%
Other General Government	309,026.00	55,944.50	18%
Sheriff	565,438.00	388,139.08	69%
County Jail	222,425.00	34,476.38	16%
Highway	2,355,226.00	1,220,205.59	52%
Parks	517,400.00	244,074.56	47%
TOTAL CAPITAL EQUIPMENT FUND	\$ 4,657,437.00	\$ 2,070,298.80	44%
SOLID WASTE FUND			
Score Grant Fund	300,068.00	129,994.95	43%
HHW Operations	539,289.00	224,556.10	42%
TOTAL SOLID WASTE FUND	\$ 839,357.00	\$ 354,551.05	42%
PARK ACQUISITION & IMPROVEMENT FUND			
Parks	1,396,802.00	31,604.00	2%
TOTAL PARK ACQ & IMPV FUND	\$ 1,396,802.00	\$ 31,604.00	2%
LAKE IMPROVEMENT DISTRICT MAINTENANCE			
Lake Improvement District Maintenance	380,671.00	201,463.77	53%
TOTAL LAKE IMPV DISTRICT MAINT	\$ 380,671.00	\$ 201,463.77	53%
DEBT SERVICE FUND			
Road Debt	10,053,979.00	10,034,003.07	100%
HHS Debt	1,290,854.00	1,290,634.75	100%
Library Debt	1,818,238.00	1,801,875.33	99%
Jail Debt	1,047,729.00	991,812.50	95%
Business Park Bonds	2,427,862.00	2,438,799.13	100%
Capital Projects	670,520.00	630,602.50	94%
TOTAL DEBT SERVICE FUND	\$ 17,309,182.00	\$ 17,187,727.28	99%
TOTAL ALL FUNDS	\$ 98,028,522.00	\$ 71,855,101.69	73%

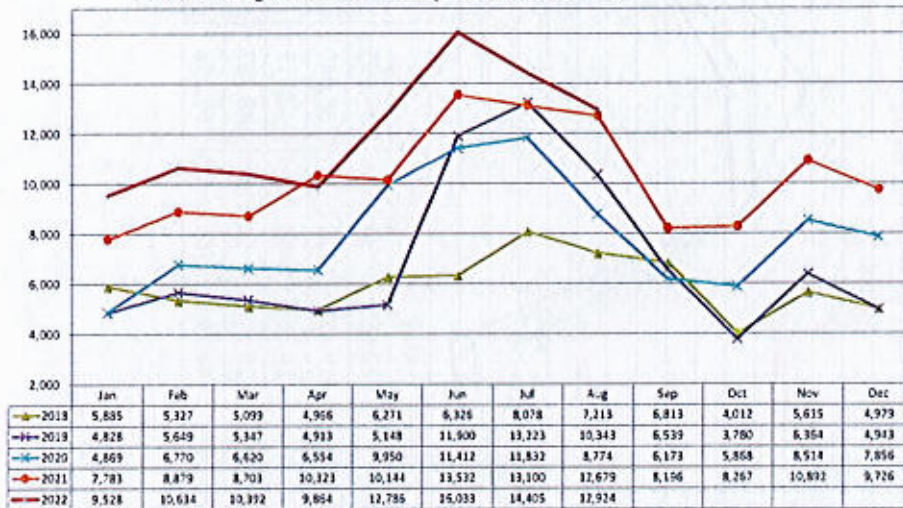
Fund Balance (000's) **Revenue, Highway and HHS Funds: Cash Fund Balance by Month 2018-2022**



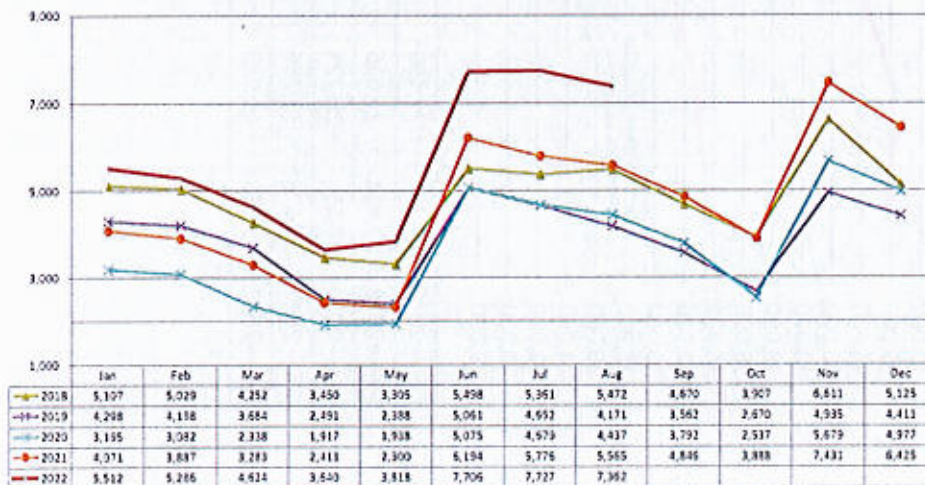
General Fund: Cash Fund Balance by Month 2018-2022



Road & Bridge Fund Balance by Month 2018-2022



Health & Human Services: Cash Fund Balance by Month 2018-2022



**SALARIES AND WAGES
BUDGET VS ACTUAL
AS OF 09/30/2022
75% OF YEAR COMPLETE**

	<u>2022 Budget</u>	<u>As of 09/30/2022</u>	<u>% of Budget</u>
GENERAL FUND			
Board of Commissioners	254,761.00	139,200.14	55%
County Administrator	599,689.00	443,665.78	74%
Auditor-Treasurer	799,481.00	565,227.28	71%
Assessor	897,460.00	652,794.22	73%
Enterprise Services	2,004,143.00	1,431,305.24	71%
Central Services	-	316.00	
County Attorney	2,028,637.00	1,392,919.80	69%
Recorder	362,138.00	236,303.74	65%
Maintenance	556,290.00	392,636.72	71%
Planning & Zoning	871,612.00	659,718.01	76%
Sheriff	6,254,416.00	4,641,075.12	74%
Boat & Water	41,980.00	-	0%
County Jail	3,748,607.00	2,588,384.78	69%
Probation & Parole	1,142,573.00	775,745.19	68%
Emergency Management	97,540.00	65,193.29	67%
Parks	333,643.00	194,815.13	58%
Water Quality Grant	82,989.00	34,634.99	42%
Wetland Grant	104,994.00	74,866.91	71%
Watercraft Inspection	222,354.00	118,999.21	54%
Non-Levy Departments	634,822.00	381,611.07	60%
TOTAL GENERAL FUND	\$ 21,038,129.00	\$ 14,789,412.62	70%
SELF INSURANCE FUND			
Other General Government	300,000.00	40,655.34	14%
TOTAL SELF INSURANCE FUND	\$ 300,000.00	\$ 40,655.34	14%
ROAD AND BRIDGE FUND			
Surveyor	146,060.00	109,001.17	75%
Highway Administration	333,460.00	245,036.22	73%
Highway Engineering	952,240.00	711,311.18	75%
Highway Maintenance	1,818,886.00	1,243,777.61	68%
Equipment Maintenance/Shop	441,720.00	352,018.94	80%
Traffic Operations	228,975.00	148,296.14	65%
TOTAL ROAD AND BRIDGE FUND	\$ 3,921,341.00	\$ 2,809,441.26	72%

**SALARIES AND WAGES
BUDGET VS ACTUAL
AS OF 09/30/2022
75% OF YEAR COMPLETE**

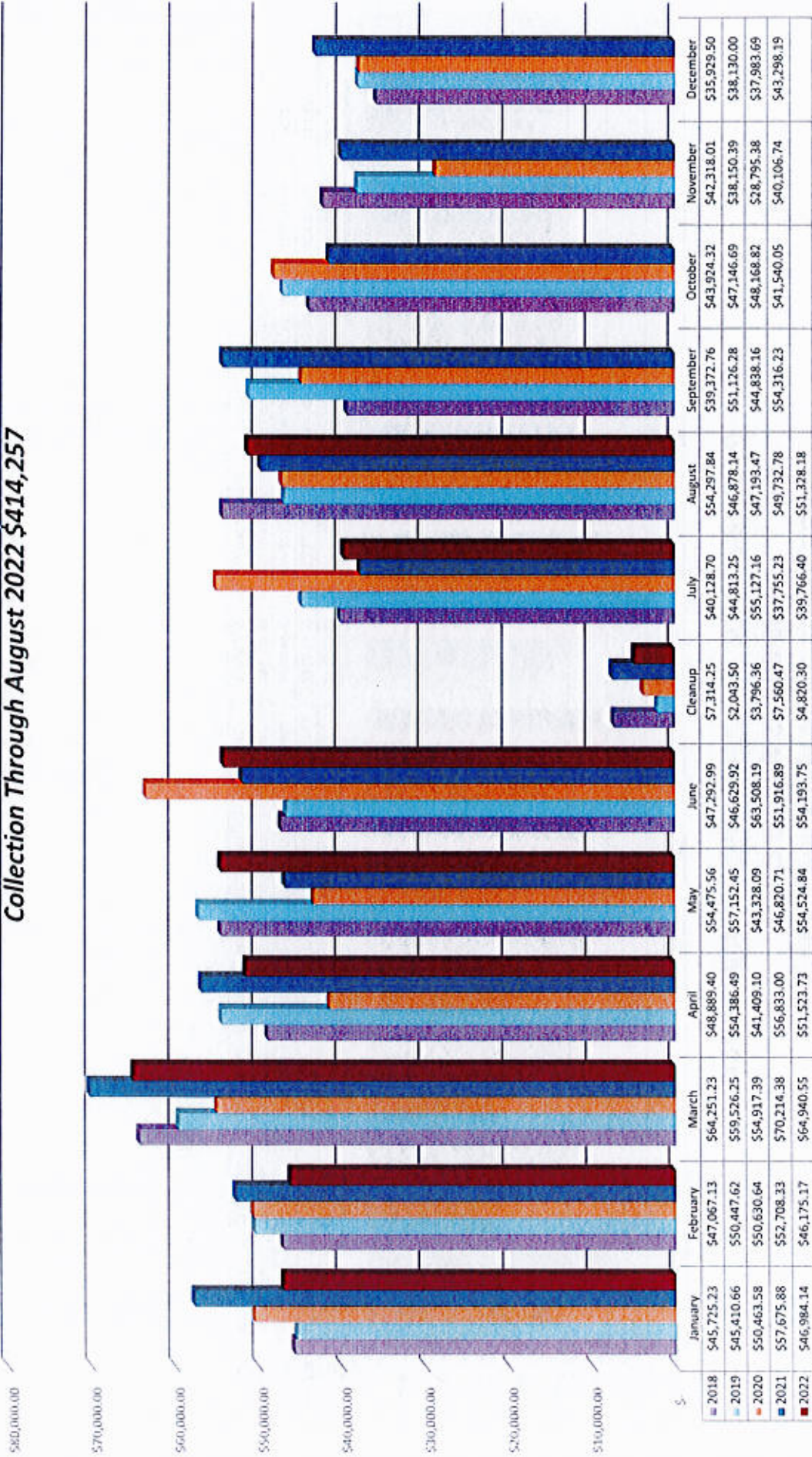
	2022 Budget	As of 09/30/2022	% of Budget
HEALTH AND HUMAN SERVICES			
Veterans Service	185,526.00	130,472.98	70%
Income Maintenance	2,919,704.00	1,910,399.79	65%
Social Services	6,423,869.00	4,548,020.31	71%
Public Health Nursing	1,843,261.00	1,224,588.00	66%
TOTAL HEALTH AND HUMAN SERVICES	\$ 11,372,360.00	\$ 7,813,481.08	69%
SOLID WASTE FUND			
Score Grant Fund	49,818.00	36,717.10	74%
HHW Operations	130,679.00	98,070.88	75%
TOTAL SOLID WASTE FUND	\$ 180,497.00	\$ 134,787.98	75%
LAKE IMPROVEMENT DISTRICT MAINTENANCE			
Lake Improvement District Maintenance	123,601.00	86,310.53	70%
TOTAL LAKE IMPV DISTRICT MAINT	\$ 123,601.00	\$ 86,310.53	70%
TOTAL ALL FUNDS	\$ 36,935,928.00	\$ 25,674,088.81	70%

Wheelage Tax

Average Annual Collection \$565,349

2022 Budget \$600,000

Collection Through August 2022 \$414,257

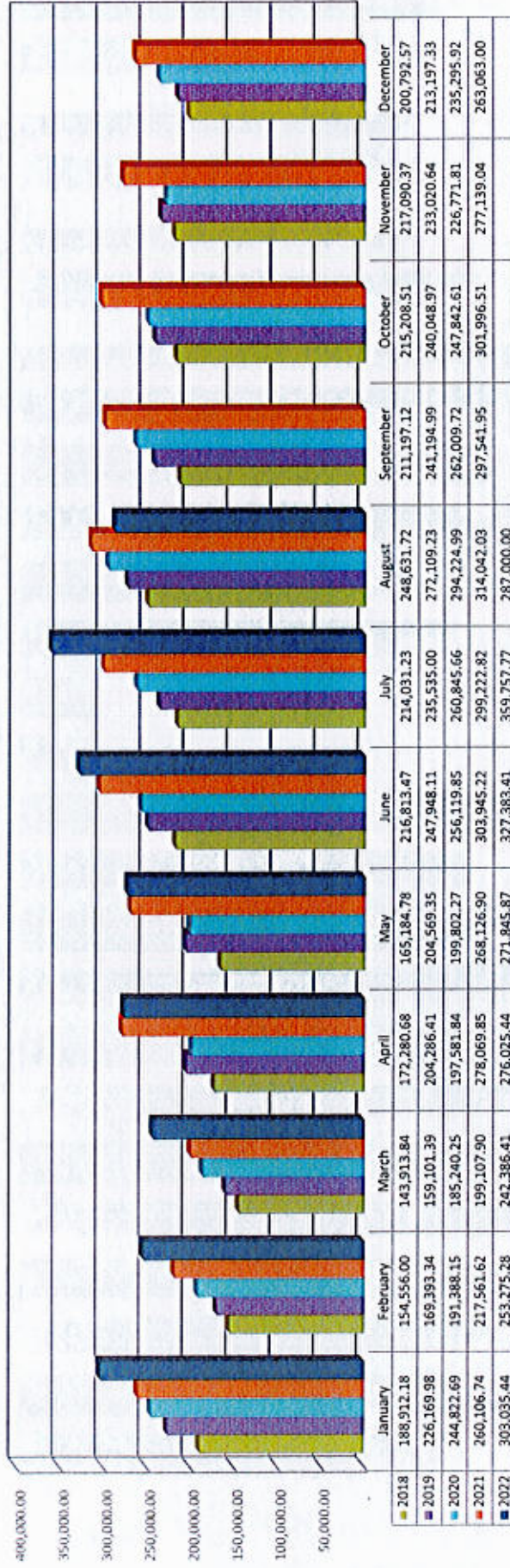


Sale Tax - By Month

Average Annual Collection \$2,638,888

2022 Budget \$2,800,000

Total Collection Through August 2022 \$2,320,710





Chisago County Auditor-Treasurer
 313 North Main Street, Room 271
 Center City, MN 55013
 651-213-8500
www.chisagocountymn.gov

Supplemental Budget Information

Levy Information

Taxing Authority	2022 Current Year	2023 Proposed	Percent Change
CHISAGO COUNTY	\$44,476,078	\$47,453,001	6.7%
AMADOR TOWNSHIP	\$392,000	\$407,000	3.8%
SCHOOL DISTRICT 138	\$9,527,812	\$10,054,603	5.5%

This information is provided by the county, city or township, and school district. It compares two years of budget information for those jurisdictions. For more information contact the county, city or township, or school district directly.

County Summary Budget Information

Category	2022 Current Year	2023 Proposed	Percent Change
Revenues			
Property Taxes	\$44,476,078	\$47,453,001	6.7%
Special Assessments	\$0	\$0	0.0%
State General Purpose Aid	\$3,285,677	\$3,198,157	-2.7%
State Categorical Aid	\$12,714,707	\$12,665,154	-0.4%
All Other Revenues	\$17,943,799	\$18,999,892	5.9%
Expenditures			
General Government	\$15,876,369	\$16,756,699	5.5%
Public Safety	\$13,660,713	\$15,028,075	10.0%
Streets and Highways	\$8,732,541	\$10,929,382	25.2%
Sanitation	\$838,357	\$1,296,740	54.7%
Human Services	\$14,294,743	\$15,029,496	5.1%
Health	\$2,123,763	\$2,460,672	15.9%
Culture and Recreation	\$2,570,805	\$3,120,316	21.4%
Conservation of Nat'l Res	\$1,440,036	\$982,350	-31.8%
Economic Dev & Housing	\$82,000	\$70,000	-14.6%
All Other Current Exp	\$18,800,934	\$16,642,474	-11.5%

City Summary Budget Information

Category	2022 Current Year	2023 Proposed	Percent Change
Revenues			
Property Taxes			
Special Assessments	Information not required by MN Statutes 275.065		
State General Purpose Aid			
State Categorical Aid			
All Other Revenues			
Expenditures			
General Government			
Public Safety			
Streets and Highways			
Sanitation			
Human Services	Information not required by MN Statutes 275.065		
Health			
Culture and Recreation			
Conservation of Nat'l Res			
Economic Dev & Housing			
All Other Current Exp			

School District Summary Budget Information

Fund	FY 2022 Beginning Fund Balances	FY 2 Actual Revenues and Transfers In	FY 2022 Actual Expenditures and Trfrs Out	June 30, 2022 Actual Fund Balances	FY 2023 Budget Revenues and Transfers In	FY 2023 Budget Expenditures and Trfrs Out	June 30, 2023 Projected Fund Balances
General Fund/Restricted							
General Fund/Other							
Food Service Fund							
Community Service Fund							
Building Construction Fund							
Debt Service Fund							
Trust Fund							
Internal Service Fund							
* OPEB Revocable Trust Fund							
OPEB Irrevocable Trust Fund							
OPEB Debt Service Fund							
Total - All Funds							

School Districts have different timelines for financial reports, and this information was unavailable at the time of printing. Please contact the district for this information.

Long-Term Debt	Outstanding July 1, 2022 Plus: New Issues Less: Redeemed Issues Outstanding June 30, 2023	
Short-Term Debt	Certificates of Indebtedness Other Short-Term Indebtedness	
Current Statutory Operating Debt	Amount of General Fund Deficit, if any, in excess of 2.5% of expenditures 6/30/2022	
Cost per Student - Average Daily Membership (ADM) 6/30/2022	Total Operating Expenditures FY 2022 Total ADM Served + Tuitioned Out ADM + Adjusted Extended ADM FY 2022 Operating Cost per ADM	



Chisago County Auditor-Treasurer
 313 North Main Street, Room 271
 Center City, MN 55013
 651-213-8500
www.chisagocountymn.gov

Supplemental Budget Information

Levy Information

Taxing Authority	2022 Current Year	2023 Proposed	Percent Change
CHISAGO COUNTY	\$44,476,078	\$47,453,001	6.7%
CHISAGO CITY	\$3,190,829	\$3,506,703	9.9%
SCHOOL DISTRICT 2144	\$11,073,689	\$11,081,603	0.1%

This information is provided by the county, city or township, and school district. It compares two years of budget information for those jurisdictions. For more information contact the county, city or township, or school district directly.

County Summary Budget Information

Category	2022 Current Year	2023 Proposed	Percent Change
Revenues			
Property Taxes	\$44,476,078	\$47,453,001	6.7%
Special Assessments	\$0	\$0	0.0%
State General Purpose Aid	\$3,285,677	\$3,198,157	-2.7%
State Categorical Aid	\$12,714,707	\$12,665,154	-0.4%
All Other Revenues	\$17,943,799	\$18,999,892	5.9%
Expenditures			
General Government	\$15,876,369	\$16,756,699	5.5%
Public Safety	\$13,660,713	\$15,028,075	10.0%
Streets and Highways	\$8,732,541	\$10,929,382	25.2%
Sanitation	\$838,357	\$1,296,740	54.7%
Human Services	\$14,294,743	\$15,029,496	5.1%
Health	\$2,123,763	\$2,460,672	15.9%
Culture and Recreation	\$2,570,805	\$3,120,316	21.4%
Conservation of Nat'l Res	\$1,440,036	\$982,350	-31.8%
Economic Dev & Housing	\$82,000	\$70,000	-14.6%
All Other Current Exp	\$18,800,934	\$16,642,474	-11.5%

City Summary Budget Information

Category	2022 Current Year	2023 Proposed	Percent Change
Revenues			
Property Taxes	\$3,190,829	\$3,506,703	9.9%
Special Assessments	\$220,567	\$66,843	-69.7%
State General Purpose Aid	\$276,248	\$281,878	2.0%
State Categorical Aid	\$49,764	\$51,311	3.1%
All Other Revenues	\$1,182,249	\$1,284,768	8.7%
Expenditures			
General Government	\$985,364	\$1,025,394	4.1%
Public Safety	\$1,072,295	\$1,141,966	6.5%
Streets and Highways	\$441,169	\$466,397	5.7%
Sanitation	\$6,090	\$7,340	20.5%
Human Services	\$0	\$0	0.0%
Health	\$8,100	\$9,000	11.1%
Culture and Recreation	\$468,459	\$499,753	6.7%
Conservation of Nat'l Res	\$0	\$0	0.0%
Economic Dev & Housing	\$115,354	\$138,726	20.3%
All Other Current Exp	\$1,109,475	\$984,515	-11.3%

School District Summary Budget Information

Fund	FY 2022 Beginning Fund Balances	FY 2 Actual Revenues and Transfers In	FY 2022 Actual Expenditures and Trfrs Out	June 30, 2022 Actual Fund Balances	FY 2023 Budget Revenues and Transfers In	FY 2023 Budget Expenditures and Trfrs Out	June 30, 2023 Projected Fund Balances
General Fund/Restricted							
General Fund/Other							
Food Service Fund							
Community Service Fund							
Building Construction Fund							
Debt Service Fund							
Trust Fund							
Internal Service Fund							
* OPEB Revocable Trust Fund							
OPEB Irrevocable Trust Fund							
OPEB Debt Service Fund							
Total - All Funds							

School Districts have different timelines for financial reports, and this information was unavailable at the time of printing. Please contact the district for this information.

Long-Term Debt	Outstanding July 1, 2022 Plus: New Issues Less: Redeemed Issues Outstanding June 30, 2023	
Short-Term Debt	Certificates of Indebtedness Other Short-Term Indebtedness	
Current Statutory Operating Debt	Amount of General Fund Deficit, if any, in excess of 2.5% of expenditures 6/30/2022	
Cost per Student - Average Daily Membership (ADM) 6/30/2022	Total Operating Expenditures FY 2022 Total ADM Served + Tuitioned Out ADM + Adjusted Extended ADM FY 2022 Operating Cost per ADM	



**CHISAGO COUNTY
PURCHASING POLICY
SUMMARY**

- Department Directors and Elected Officials are authorized to bind the County on approved purchases that are a total purchase cost of \$3,000 or less, if the purchase is in the department's approved budget for that fiscal year.
- The County Administrator is authorized to bind the County on approved purchases that have a total purchase cost of \$25,000 or less, if the purchase is in the department's approved budget for that fiscal year.
- The County Board must approve **ALL** purchases that have a cost greater than \$25,000, even if the purchase is in the department's approved budget for that fiscal year.
- **CIP REQUESTS:** The County Administrator is authorized to re-allocate approved CIP funds or approve a request to use unallocated CIP funds for items that are a total purchase cost of \$3,000 or less.
- **CIP REQUESTS:** The County Board must approve amendments/changes to approved purchases if the purchase has a cost greater than \$3,000. Department Directors and Elected Officials are responsible for identifying and/or requesting where the additional funds will come from to cover any amount over the department's approved CIP budget for that fiscal year.

II.

ENGINEERING, CONSTRUCTION TIMELINE

Chisago County, MN
Sept. 22, 2022

Summary

Bolton & Menk | Hometown Fiber
partnership to get Chisago County
world-class internet service.

Presented by:

HOMETOWN FIBER, LLC

18457 Gladstone Blvd N | Maple Grove, MN 55311

763.299.5900 | knowmore@yourhometownfiber.com

yourhometownfiber.com

Key activities, process, expected timeline

KEY ACTIVITIES, PROCESS & PROJECTED BUILD/OPERATION TIMELINE			
Step 1	Community Engagement and Review	Our work starts with understanding Joplin's broadband needs, goals and priorities. We learn about the city and its infrastructure and services. We review all previous broadband-related work to ensure efficient use of resources and prevent duplication. We modify or eliminate activities below as necessary, and always align broadband network design with community goals.	Doing this now
	Broadband Asset Review; Document Areas in Greatest Need	Go into the field and document fiber optic and other broadband assets present in the community, and those assets that connect the community to the greater internet. Evaluate capacity and condition. Identify potential fiber optic lease or partnership opportunities. Provide the city ESRI GIS layers.	
	Network Design, Pre-engineering	Create GIS layers of network design, identify any unusual circumstances a project would encounter and calculate pre-engineering cost estimates.	
	Economic Projections	Conduct analysis of projected revenue and expenses to build and operate the network.	
	Grant Identification, Grant Scoring	Identify available grants for each community. Score grant eligibility based on published criteria for available grants.	
Step 2	Grant Applications, ISP Interest	Decision. Vote to proceed with any qualifying grant applications that if awarded, will determine the direction of formal project financing plan and bond sales. Engage ISPs to determine interest, product structure, etc.	Jan – Feb 2023
Step 3	Engineering, Specifications, Project Financing	Decision. Votes to proceed to Engineering & Specifications, and formal Project Financing including bonding options & terms.	Nov 2022-Apr 2023
Step 4	Bidding and ISP Contracts	Decision. Vote to proceed with bidding and final ISP contracts.	Apr-May 2023
Step 5	Network Construction.	Decision. Vote to proceed with constructing the network, and authorizes the procurement of goods, services and construction administration.	Order materials May 2023; Construction complete Oct 2024

Step 6	Testing, Network Certification, Education	Upon substantial completion of construction, test and certify network. Verify all fiber is constructed to design and passes quality tests. GIS locate all installed fiber and provide the city with an ESRI map of the entire network. Connect residents, businesses, city facilities (If not connected earlier).	Oct to Dec 2024
Step 7	Network Operations	Hometown Fiber operates the network. Revenue from network operations make bond payments.	Ongoing



**BOLTON
& MENK**



HOMETOWN FIBER



PROFESSIONAL SERVICES PROPOSAL FOR BROADBAND CONSTRUCTION COSTS & FINANCING REPORT

Chisago County

May 31, 2022

Revision 1

**Bolton & Menk | Hometown Fiber | Ehlers
partnership to fix your
internet problems for good.**

**Presented by:
HOMETOWN FIBER, LLC**

18457 Gladstone Blvd N | Maple Grove, MN 55311

763.299.5900 | knowmore@yourhometownfiber.com

yourhometownfiber.com

An Experienced Team for Chisago County

To meet community's needs during this time of great demand, Hometown Fiber pulled together well-respected companies our team members have worked with for decades. Hometown Fiber, Bolton & Menk and Ehlers share one goal: get communities what they need to thrive. The three companies work together to offer communities unique expertise in broadband, civil engineering, grant writing and market analysis and financing. This partnership ensures efficient use of resources and the ability to meet tight timelines.

Our team's consulting and operational experience with rural municipalities and internet service providers is unmatched.

Hometown Fiber

Hometown Fiber tackles broadband challenges *from a community's perspective*.

Hometown Fiber is staffed with telecommunications industry veterans with a passion for ensuring rural communities get the internet service they need to thrive. For the past 30 years Hometown Fiber founder Kyle Moorhead, the company's lead on this project, worked closely with municipalities, federal courts, colleges and businesses to solve technology challenges—including the design, construction and maintenance of fiber optic networks. Kyle also worked with internet service providers to build, troubleshoot, repair and maintain thousands of miles of fiber optic, twisted pair, coaxial, and wireless networks.



HOMETOWN FIBER

Bolton & Menk

For more than 72 years, Bolton & Menk has created public infrastructure that helps create safe, sustainable and beautiful communities. With over 700 employees and a corporate office in Mankato, Bolton & Menk is one of the Top 500 Engineering Firms in the country according to Engineering News-Record. It's an honor they've maintained since 1996. Brad DeWolf, President of Bolton & Menk is the point of contact for Hometown Fiber projects.



**BOLTON
& MENK**

Ehlers

Rebecca Kurtz, CIPMA, is a senior municipal advisor and is Ehlers' lead on this project. Headquartered in Roseville, Ehlers helps build strong, vibrant communities. Her expertise includes project feasibility studies, project impact analysis, capital improvement planning, and involving the public in the process. Ehlers has provided independent, expert advice across all areas of public financing since 1955. They serve local governments, school districts, public agencies, special districts, community development authorities and joint powers boards.



Project Contacts

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HOMETOWN FIBER

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Page 2 of 7

SCOPE OF WORK

Hometown Fiber, Bolton & Menk and Ehlers will work together to create a financial information regarding construction costs and financing options for the construction of dedicated, directly connected fiber optic networks throughout the county. The report will be divided into towns and townships. This information can be used to determine which areas will score highest on grant applications what local community participation is needed, which communities would like to proceed, and ultimately will help the Chisago County determine how best use allocated broadband funds. A county-wide approach to creating this information is more efficient approach than individual community silos.

To reduce financial and political risk as much as possible, Hometown Fiber proposes a two-step process.

Step One

Hometown Fiber proposes Scope of Work Step One to provide county, city and township leaders pre-engineering cost estimates on a township-by-township, city-by-city basis. You will gain construction cost projections, available grants and the scoring for each grant, local funding/bonding, anticipated network use, income from the network, etc.

What We Will Do	What You Will Get	Fee
Identify each community's private fiber network needs. Such as control networks for water, wastewater and other utilities along with building-to-building communications.	A community approach to fiber optic networks that takes in account the specific needs for operating infrastructure, government and schools.	
Provide construction cost projections by using a per-property estimate formula. We account for population density, geology and topology. This is a projected calculation of cost and not an engineered cost estimate.	Construction cost projections for each town and township in the county.	
Identify available grants for each community. Score grant eligibility based on published criteria for available grants.	An understanding how well various communities and projects meet scoring criteria for each available grant.	~~\$95,000~~ \$49,975
Identify properties to consider for the MN Broadband Line Extension Pilot Program signed into law May 26, 2022.	This provides another possible funding source for properties that are a long distance from more densely populated areas.	
Financial analysis including: • Projected network use • Bonding options, terms • Comparison of single ISP options	Financial analysis defines which areas are most economical to build. Will help determine best use of limited funds. Will provide valuable information to each community on what it will cost to solve broadband problems.	

Step Two

Step Two moves from financial projections to defined areas of construction and engineering estimates. With defined areas of construction established, we will generate network designs, maps of fiber routes, bill of materials, and all technical information needed for grant applications and other funding sources. Step two is a continuation of Step One and therefore is dependent upon Step One to be completed.

What We Will Do	What You Will Get	Fee
Analyze combinations of township/city projects where it makes financial or practical sense to collaborate on a project.	Identify cost savings or grant opportunities available through combining projects. Common sense approach to get the best value for the investments.	
Engineered Cost Estimates: - Design directly connected fiber optic network connecting residential and business properties. - Layout private municipal fiber optic network connecting government facilities and securing operations. - Identify fiber routes and conduit paths - Identify and incorporate the costs for crossing waterways, bridges, railroads, highways, etc. - Determine locations for trenching vs horizontal drilling - Identify barriers, incorporate impact on costs	A fiber optic network design. Engineered cost estimates including bill of materials and labor estimates that are needed for grant applications and other funding sources.	~~\$159,554~~ \$49,975
Financial analysis including: - Projected network use per township/city - Bonding options, terms - Return on Investment - Recurring revenue - Comparison of single ISP vs HTF's competitive, critical infrastructure approach	Detailed financial results needed to finalize funding sources and move to construction. One (1) MN Broadband Grant Application	

Terms

50% deposit is required for Hometown Fiber to begin. NET 30 credit terms extended on remaining balances which shall be invoiced upon completion of services.

Timeline

30 to 60 days for Step One. Then 30-60 days for Step Two.

If both steps are purchased at the same time, then the entire project can be completed in **60-90 days**.

Conclusion

Thank you for your request for proposal that achieves a county-wide estimate of construction costs and grant eligibility. Enclosed is a sample resolution for your convenience. Hometown Fiber, with our partners Bolton & Menk and Ehlers, can begin the Project Evaluation once a contract is executed and deposit received. In closing, thank you again for this opportunity to serve Chisago County. We look forward to helping you fix your internet problems for good.

Regards,



Kyle Moorhead, president
Hometown Fiber
kyle@yourhometownfiber.com
O: 763-299-5900 | C: 612-819-9077

Enc. Sample Resolution

References

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cofreyclerk@frontiernet.net
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Mayor
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Melissa Stenson

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CHISAGO COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION REGARDING BROADBAND IMPROVEMENTS

WHEREAS, the Chisago County Board of Commissioners, desires to improve broadband capabilities within Chisago County, and;

WHEREAS, the Chisago County Board of Commissioners initiated a Broadband Critical Infrastructure Report for Chisago County conducted by Hometown Fiber, and;

WHEREAS, Hometown Fiber delivered the Broadband Critical Infrastructure Report dated April 6, 2022 to Chisago County and the Chisago County Board of Commissioners accepts this report, and;

WHEREAS, the Chisago County Board of Commissioners has received a Professional Services Proposal by Hometown Fiber dated May 31, 2022 for the creation of a Broadband Construction Costs and Financing Report, and;

WHEREAS, the Chisago County Board of Commissioners and has determined hiring Hometown Fiber and their respective partners Bolton & Menk and Ehlers to create the Broadband Construction Costs and Financing Report is in the best interests of Chisago County, and;

WHEREAS, the Chisago County Board of Commissioners desires to hire Hometown Fiber and their respective partners Bolton & Menk and Ehlers to deliver a Broadband Cost and Financing Report calculating broadband construction costs and identifying financing options within 90 calendar days of this resolution, for a fee not to exceed \$99,900, and;

WHEREAS, The Chisago County Board of Commissioners, agrees time is of the essence and authorizes a \$49,950 deposit payment to Hometown Fiber to immediately begin the scope of work defined in the May 31, 2022 proposal titled Broadband Construction Costs and Financing Report.

NOW, THEREFORE, BE IT RESOLVED BY THE CHISAGO COUNTY MINNESOTA BOARD OF COMMISSIONERS, Herby hires Hometown Fiber to create a Broadband Construction Costs and Financing Report within 90-days of this resolution for a cost not to exceed \$99,900 and agrees to pay a deposit totaling \$49,950 authorizing Hometown Fiber to immediately proceed with the scope of work defined in the May 31st proposal.

Adopted by The Chisago County Minnesota Board of Commissioners this _____ day of _____, 2022.

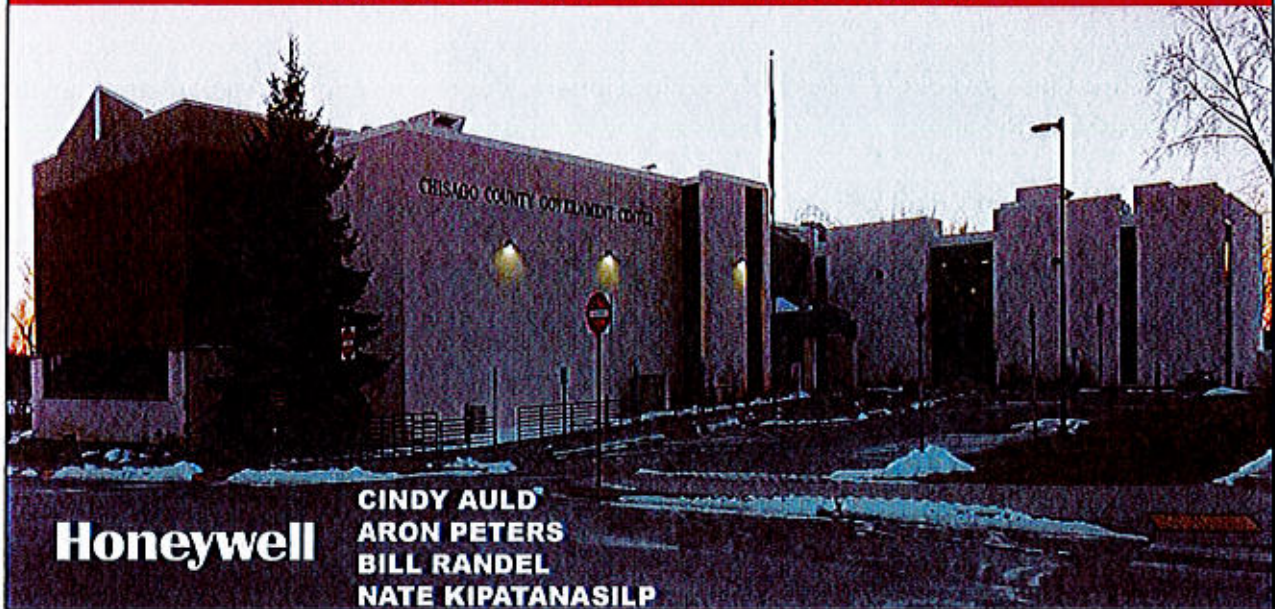
Signed by: _____

Attest: _____

Rick Greene, Chair

Chase Burnham, County Administrator

CHISAGO COUNTY ENERGY EFFICIENCY AND IMPROVEMENT PROGRAM



0

PHASE I HIGHLIGHTS

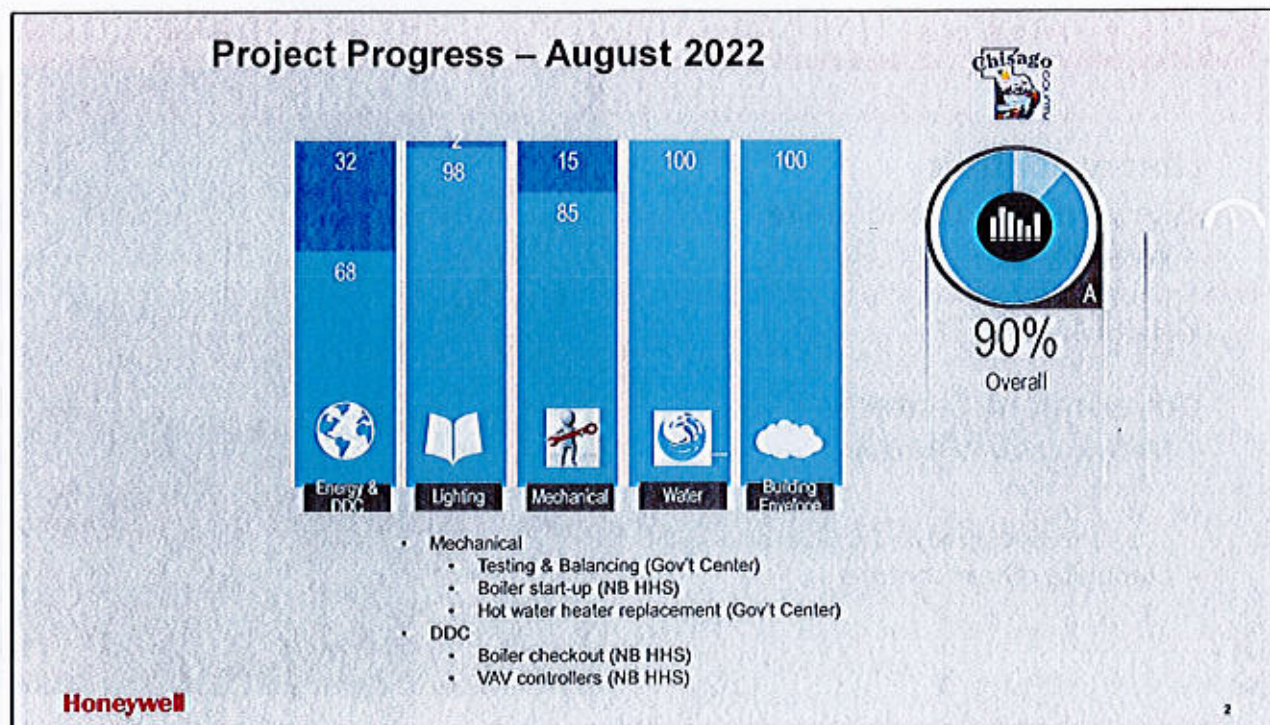


- ✓ Contract Signed/Program Implemented
- ✓ December 2021/January 2022
- ✓ All scope items approved in Phase I
- ✓ Some scope items left to complete in Phase II

drawn: Dettmer 12/2021 by: chisago-county.org no. 10/2021 revised

1

1



2

PHASE II HIGHLIGHTS

- ✓ Phase I over 90% complete
- ✓ August 18: Presentation to Jon
- ✓ TBA: Presentation to Facility Committee
- ✓ TBA: Presentation to Board
- ✓ TBA: Board Approval/Contract Addendum Signed
- ✓ TBA: Project Kickoff and Implementation



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3

3

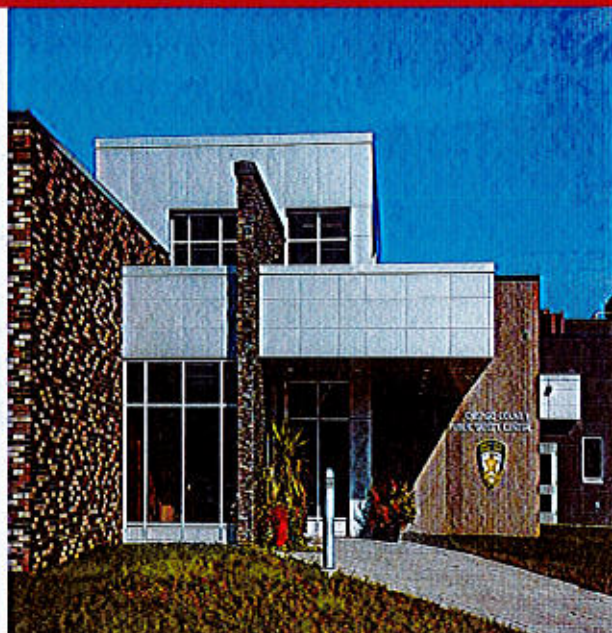
PHASE II SCOPE ITEMS

Library Controls

- ✓ Required due to end-of-life
- ✓ Wyoming
- ✓ Chisago City
- ✓ North Branch

Government Center

- ✓ Mechanical: VAV Reheats
 - ✓ 22 – 1st floor
 - ✓ 33 – 2nd floor
 - ✓ 23 – 3rd floor (Court Admin and Judges Office Areas)
- ✓ Complete reheat controls



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4

4

CHISAGO/HONEYWELL PHASE II PROGRAM

Price: \$1,566,300

Annual Payments: \$139,974

Total Payments: \$2,099,616

Rate: 3.98%

Term: 15 Years

- ✓ Payments to begin February 2024, after 18 month construction period
- ✓ No energy savings in Phase II; all savings applied in Phase I
- ✓ Phase II, capital project
- ✓ Change Order Contract
 - ✓ Addendum to Phase I
- ✓ Qualifies for ARPA Funding due to Indoor Air Quality Improvements
- ✓ Master Contract Signed in Phase I: add onto Pinnacle lease



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5

5

Q&A

THE FUTURE IS WHAT WE MAKE IT.

What if your toughest challenges dissolved into a single solution, making Chisago County smarter, faster, and safer?

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CHANGE ORDER [001]

Project:	County of Chisago	Change Order Number:	001
	313 N Main St.	Original Contract Date:	12/17/2021
	Center City, MN 55012	Change Order Date:	09/21/2022
Agreement For:	Performance Contract		

The Parties hereby agree to modify the above-referenced Agreement (the "Agreement") as set forth below. Except as modified herein, all other terms and conditions of the Agreement will remain unchanged and in full force and effect.

The Agreement is changed as follows:

The following new scope items will be added:

ECM 1B – CO #001- Energy Management System and Controls – Legacy DDC Controller Replacement and 5 Star Graphics Upgrade

Building	New Honeywell CPO controllers	New PC400 CPO Plant Controller	5 Star Graphics Upgrade	Additional Scope
Chisago County Chisago City Library	7	1	-	Legacy DDC Controller Replacement and Integration to Honeywell EBI with newly updated hardware control drawings.
Chisago County North Branch Library	9	1	-	Legacy DDC Controller Replacement and Integration to Honeywell EBI with newly updated hardware control drawings.
Chisago County Wyoming Library	7	1	-	Legacy DDC Controller Replacement and Integration to Honeywell EBI with newly updated hardware control drawings.
Buildings currently accessible in existing BMS	-	-	1	BMS building graphics to be upgraded to new 5 Star graphics with newly updated hardware control drawings.

ECM 3F – CO #001- Mechanical System Improvements – Chisago County Government Center VAV with Electric Reheats

Building	Proposed VAV Quantity	Proposed Manufacturer
Chisago County Government Center	78	Enviro-Tec

1. At Chisago County Government Center building, Honeywell shall furnish and install seventy-eight (78) Enviro-Tec (or equal) variable air volume (VAV) boxes with electric reheat.
2. Honeywell shall furnish and install required duct adapters to connect new VAV boxes to existing ductwork.
3. Honeywell shall provide airflow test and balance for these 78 locations.
4. The VAVs will be controlled from the existing Honeywell CPO VAV controller.
5. Honeywell will provide integration of the (78) new VAV electric reheats to the Honeywell control system.

Attachment D, Guarantee and Support Services Agreement:

Attachment D, Guarantee and Support Services Agreement, remains unchanged. The scope changes in this Change Order do not affect the project savings and Honeywell will not change the guarantee nor M&V services as part of this Change Order.

Original contract sum was	\$ 1,518,000
Net change by previously authorized Change Orders	\$ 0
The Contract Sum prior to this Change Order was	\$ 1,518,000
The Contract Sum will be increased by this Change Order in the amount of	\$ 1,566,300
The new Contract Sum including this Change Order will be	\$ 3,084,300
The Contract Time will increase by 18 months	

The original Year 1 Energy Guarantee was	\$ 60,746
Net change by previously authorized Change Orders	\$ 0
The Year 1 Energy Guarantee prior to this Change Order was	\$ 60,746
The Year 1 Energy Guarantee will not be changed as a result of this Change Order.	

The original Total Term Guarantee was	\$ 1,806,175
Net change by previously authorized Change Orders	\$ 0
The Total Term Guarantee prior to this Change Order was	\$ 1,806,175
The Total Term Guarantee will increase via this Change Order	\$ 0
The new Total Term Guarantee including this Change Order will be	\$ 1,806,175

Honeywell International Inc.
Morris Plains, NJ 07950

County of Chicago
Center City, MN 55012

By: _____

By: _____

Date: _____

Date: _____

Building Inspections Discussion

The City of Stacy is accelerating their discussions and has made the decision to drop the contracted MNSPECT inspection services and has requested County inspection services.

Currently it is 'peak season,' and the County only has 2 building inspectors and 1 septic inspector. **The County needs to review its current permit loads and decide appropriate staffing to avoid potential contractor and customer service timelines and responsiveness issues that will be further pressed by adding yet another jurisdiction.**

If the County is interested in providing inspection services to the City of Stacy, the next steps to proceed involve the drafting of a contract for services between the City and County for appropriate attorney(s) review followed by County Administration and County Board review and approval of said contract and expanded inspection services role.

.VI

Chisago County Public Works Hydrant Replacement

Currently, a hydrant is leaking and needs replacement at the Chisago County Public Works Facility.

Olson's Sewer Service is proposing to excavate and replace the existing hydrant and valve with a new hydrant and valve in the same location. They will import up to 8 tons of 1.5" river rock to create a stable base for the new hydrant and valve. They will backfill and grade the excavation area with the existing soil. Hydrant and valve parts are included. This estimate is based on a 6" PVC hydrant service. This estimate is based on using a trench box. No restoration included.

Olson's is proposing this service at \$17,871.99.

Question:

How to pay for the replacement of the hydrant?

IV



Olson's Sewer Service Inc. Olson's Excavating Service

17638 Lyons Street NE
Forest Lake, MN 55025
(651) 464-2082 Fax (651) 464-9029

PROPOSAL SUBMITTED TO Chisago County Public Works		WARD Ward Brown	PHONE 651-346-8817	DATE 10-3-22
STREET 31325 Oasis Rd.		JOB NAME Hydrant & Valve Replacement		
CITY, STATE AND ZIP CODE Center City, MN 55012		JOB LOCATION 31325 Oasis Rd.		
ARCHITECT/DESIGNER			EMAIL ward.brown@chisagocountymn.gov	

We hereby submit specifications and estimates for:

Item	Description of Work to be Done	Cost
Hydrant & Valve Replacement	We will excavate to replace the existing hydrant and valve with a new hydrant and valve in the same location. We will import of up to 8 tons of 1.5" river rock to create a stable base for the new hydrant and valve. We will backfill and grade the excavation area with the existing soil. Hydrant and valve parts are included. This estimate is based on a 6" PVC hydrant service. This estimate is based on using a trench box. No restoration included.	\$16,166.07
Hydro-Vac	Additional cost for up to 4 hours of hydro-vac service if required.	\$1,705.92

Unless otherwise noted, the above proposal does not include the following: permits, private underground utility locates, private underground utility repairs, irrigation repairs, or lawn/landscape restoration. Where applicable, the proposal does not include: hazardous waste assessment or abatement, dewatering or hydro-vac services, tree removal or impact on tree health; blacktop or concrete restoration.

Winter Notice: When conditions dictate, the above proposal does not include frost ripping or winter condition management.

The above proposal is based on information known at this time; changes in the scope of work will be communicated prior to initiating and will be billed on a time and materials basis.

Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. Under Minnesota law, you have the right to pay persons who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied the labor or material for the improvement and who gave you timely notice. We reserve the right to file a lien if payment in full is not received within 30 days of the invoice date. Any additional costs will be added to the bill for interest, legal expenses, attorney fees, and /or collection costs.

We Propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:

AS NOTED ABOVE

Payment to be made as follows:

TO BE PAID IN FULL UPON RECEIPT OF INVOICE.

A SIGNED CONTRACT IS NECESSARY TO PERFORM THE WORK DESCRIBED ABOVE.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be specified only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance.

Authorized Signature
Dylan Anderst

Note: We may withdraw this proposal if not accepted within 7 days.

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above

Signature
____X_____

Date of Acceptance ____X_____

Signature
____X_____

III.

Chisago County
Budget & Finance Committee Meeting
CIP Requests
October 12, 2022

- Decisions to made today:

Is this project approved?

If yes, what is the funding source? County Program Aid or ARPA?

- County Program Aid for 2023 is \$3,073,157, of which \$628,925 is allocated to the debt service of the Jail/LEC, leaving **\$2,444,232** for CIP requests. Total CIP requests being made today are **\$2,696,051**.
- ARPA allocation is \$10,989,807, of which \$8,221,388 has been allocated, leaving **\$2,768,419** for ARPA requests. Total ARPA requests being made today are **\$5,857,156**.
- At the September 13th B&F meeting, the following items were identified as being added or removed from the CIP and ARPA request lists:

CIP Project Number	Description	Exp Dec	Exp Inc	Notes
PWKS-0167	1-Ton Tipper	75,000		
PWKS-0171	Tandem Snow Plow Truck	160,000		Split cost between 2023 and 2024
PWKS-0172	Tandem Snow Plow Truck	160,000		Split cost between 2023 and 2024
PWKS-0226	Tandem Snow Plow Truck	160,000		Split cost between 2023 and 2024
PWKS-0228	Skidsteer Trailer	23,000		Project approved for 2022
ENTS-0092	Cisco USC Interconnects/Chasis	229,032		Move from CIP to ARPA
ENTS-0093	Upgrade Backup Executive Tape Library	75,000		Move from CIP to ARPA
ENTS-0202	Cisco USC in DMZ Replacement of Chassis and Fabric Interconnects	53,400		Move from CIP to ARPA
				Originally approved for 2022 as ENTS-0188, ENTS-0185 and ENTS-0189 for a total of \$67,500. Amount will be carried into 2023 for a total project cost of \$167,500
MNT-0267	Fencing and Parking Gate at PSC		100,000	
ENTS-0028	Replace 20 laptops for Sheriff's Office	32,500		Split replacement costs between 2023 and 2024
	Replace carpet in the main public hallways of the 1989 courthouse	60,000		
MNT-0063				
MNT-0186	Repair/Replace retaining wall around large parking lot at the Courthouse	250,000		
	Replace Leibert HVAC system in Courthouse data center	200,000		
MNT-0187				
ENTS-0099	Replace network cores at ECC		515,926	Move from ARPA to CIP
	Replace network switches that support end user devices at the ECC/911		60,000	Move from ARPA to CIP
ENTS-0103				



Chisago County Capital Improvement Program

Department Summary

Funding Source	2023	2024	2025	2026	2027	Total
ARPA	\$ 6,673,856	\$ 320,905	\$ 50,000	\$ 50,000	\$ 50,000	\$ 7,144,761
Auditor-Treasurer	\$ 84,500	\$ 63,500	\$ 63,500	\$ 63,500	\$ -	\$ 275,000
CCSO	\$ 497,165	\$ 382,833	\$ 394,318	\$ 406,147	\$ 418,331	\$ 2,098,794
Enterprise Services	\$ 924,186	\$ 717,576	\$ 200,200	\$ -	\$ -	\$ 1,841,962
Environmental Services	\$ 125,000	\$ -	\$ -	\$ -	\$ -	\$ 125,000
Facilities & Maintenance	\$ 141,000	\$ 678,500	\$ 270,000	\$ -	\$ 5,100	\$ 1,094,600
HHS	\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ 80,000
Probation	\$ 3,200	\$ 500	\$ 500	\$ 500	\$ 500	\$ 5,200
Public Works	\$ 841,000	\$ 895,000	\$ 270,000	\$ 360,000	\$ 375,000	\$ 2,741,000
Total	\$ 9,369,907	\$ 3,058,814	\$ 1,248,518	\$ 880,147	\$ 848,931	\$ 15,406,317

Chisago County Capital Improvement Program

Projects by Department

Project Number	Project Name	2023	2024	2025	2026	2027	Total
ARPA							
ARPA-0062 ENIS	Replace ceiling grid and tile in the hallways of the 1989 Courthouse	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
ARPA-0086 ENIS	Broadband PTT Solution (ARMER Radio to Smartphone) *ARPA ARMER*	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000
ARPA-0087 ENIS	Increase microwave bandwidth to Nessel/ARMER site *ARPA ARMER*	\$ 1,700	\$ -	\$ -	\$ -	\$ -	\$ 1,700
ARPA-0092 ENIS	PRIORITY Cisco USC Interconnects / Chassis	\$ 229,032	\$ -	\$ -	\$ -	\$ -	\$ 229,032
ARPA-0093 ENIS	PRIORITY Upgrade Backup Exec Tape Library	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
ARPA-0100 ENIS	Add network core devices at the NB HHS data center	\$ -	\$ 270,905	\$ -	\$ -	\$ -	\$ 270,905
ARPA-0101 ENIS	Upgrade data center fabric network switches at the ECC data center	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
ARPA-0102 ENIS	Upgrade data center fabric network switches at the Courthouse data ce	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
ARPA-0117 ENIS	PRIORITY Park Maintenance Cold Storage and Shop	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
ARPA-0133 ENIS	Cyber Security Audit, Testing and Mitigation	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000
ARPA-0135 MNT	Repair elevator on 1973 side of Courthouse	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000
ARPA-0180 ENIS	Online Permitting/Licensing Module	\$ 95,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 295,000
ARPA-0182 CCSO	Camera Work Station for Jail	\$ 5,061	\$ -	\$ -	\$ -	\$ -	\$ 5,061
ARPA-0202 ENIS	PRIORITY Cisco UCS in DMZ Replacement of Chassis and Fabric Interconn	\$ 53,400	\$ -	\$ -	\$ -	\$ -	\$ 53,400
ARPA-0240 ENIS	Chisago County Mountain Bike Course	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
ARPA-0261 ENIS	Upgrade of ARMER Microwave backhaul system- this is a multi-year proje	\$ 800,000	\$ -	\$ -	\$ -	\$ -	\$ 800,000
ARPA-0300 PWKS	Harris Wash Bay & Truck Building	\$ 1,858,886	\$ -	\$ -	\$ -	\$ -	\$ 1,858,886
ARPA-0301 PWKS	Central Shop Expansion & Renovation	\$ 629,577	\$ -	\$ -	\$ -	\$ -	\$ 629,577
ARPA-0302 ENIS	Chisago County Community Building	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ 350,000
ARPA-0303 ENIS	Swedish Immigrant Regional Trail Connection with Hwy 8	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000
ARPA-0304 ENIS	Ki Chi Soga Park Municipal Building	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ 150,000
ARPA-0305 ENIS	Water Resources Grant Match	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
ARPA-0306 ENIS	PRIORITY Water Resources Truck	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
ARPA-0307 ENIS	Lower St. Croix Watershed Planning	\$ 421,200	\$ -	\$ -	\$ -	\$ -	\$ 421,200
ARPA-0308 ENIS	AIS Programming	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ 35,000
ARPA-0309 ENIS	PRIORITY Full-Time AIS Specialist/Lead Watercraft Inspector	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ 40,000
ARPA Total		\$ 6,673,856	\$ 320,905	\$ 50,000	\$ 50,000	\$ 50,000	\$ 7,144,761

Auditor-Treasurer							
AUD-0137	Election Equipment Replacement Fund	\$ 59,000	\$ 59,000	\$ 59,000	\$ 59,000	\$ -	\$ 236,000
AUD-0138	Electronic Pollbook Replacement	\$ 21,000	\$ -	\$ -	\$ -	\$ -	\$ 21,000
AUD-0139	Election Results - Storage Media	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ -	\$ 18,000
Auditor-Treasurer Total		\$ 84,500	\$ 63,500	\$ 63,500	\$ 63,500	\$ -	\$ 275,000

CCSO							
CCSO-0141	Sheriff's Office Patrol Vehicle Replacements - 6 squads	\$ 372,926	\$ 382,833	\$ 394,318	\$ 406,147	\$ 418,331	\$ 1,974,555
CCSO-0225	Reserve Deputy Ballistic Vests	\$ 9,200	\$ -	\$ -	\$ -	\$ -	\$ 9,200
CCSO-0235	40LMTS Single Shot Less Lethal	\$ 46,750	\$ -	\$ -	\$ -	\$ -	\$ 46,750
CCSO-0237	Agency Handgun Program	\$ 24,500	\$ -	\$ -	\$ -	\$ -	\$ 24,500
CCSO-0238	Jail Transport Vehicle	\$ 43,789	\$ -	\$ -	\$ -	\$ -	\$ 43,789
CCSO Total		\$ 497,165	\$ 382,833	\$ 394,318	\$ 406,147	\$ 418,331	\$ 2,098,794

Enterprise Services

Chisago County Capital Improvement Program

Projects by Department

Project Number	Project Name	2023	2024	2025	2026	2027	Total
Enl ENTS-0028	Replacement of 20 MDC's/Laptops for Sheriff's Office due to age 1/2 were done in 2022	\$ 32,500	\$ 32,500	\$ -	\$ -	\$ -	\$ 65,000
ENTS-0031	5 replacement laptops for HHS	\$ 6,175	\$ -	\$ -	\$ -	\$ -	\$ 6,175
ENTS-0088	MCC 7500E Laptop Consoles (2)	\$ 165,000	\$ -	\$ -	\$ -	\$ -	\$ 165,000
ENTS-0090	Replacement batteries at 2 or more ARMER sites	\$ -	\$ -	\$ 18,000	\$ -	\$ -	\$ 18,000
ENTS-0096	Replace Printer for County Administration	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ 500
ENTS-0098	Replace Fujitsu Scanner in Treasurer's Office	\$ 985	\$ -	\$ -	\$ -	\$ -	\$ 985
ENTS-0099	Replace network cores at ECC, No parts available	\$ 515,926	\$ -	\$ -	\$ -	\$ -	\$ 515,926
ENTS-0103	Replace network switches that support end user devices at the ECC / 911	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
ENTS-0179	Social Media and Texting archive solution	\$ 7,200	\$ 7,200	\$ 7,200	\$ -	\$ -	\$ 21,600
ENTS-0187	Replace Leibert HVAC system in Courthouse data center, this was funded	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
ENTS-0192	Replace Wifi in County Buildings	\$ -	\$ -	\$ 175,000	\$ -	\$ -	\$ 175,000
ENTS-0203	Replace Cisco network Switches at the LEC	\$ -	\$ 62,987	\$ -	\$ -	\$ -	\$ 62,987
ENTS-0204	Replace Cisco network switches at Public Works - Center City	\$ -	\$ 53,199	\$ -	\$ -	\$ -	\$ 53,199
ENTS-0205	Replace Cisco network switches in NBHHS Data Center	\$ -	\$ 97,728	\$ -	\$ -	\$ -	\$ 97,728
ENTS-0210	Replace Printer for County Administration	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ 750
ENTS-0211	Replace 2 PC's in County Attorney's office	\$ -	\$ 1,700	\$ -	\$ -	\$ -	\$ 1,700
ENTS-0212	Replace PC in HHS	\$ -	\$ 850	\$ -	\$ -	\$ -	\$ 850
ENTS-0213	Replace Printer for HHS	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ 750
ENTS-0214	Replace PC in Enterprise Services	\$ -	\$ 850	\$ -	\$ -	\$ -	\$ 850
ENTS-0216	Replace Printer for Sheriff's Office	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ 750
ENTS-0236	Plotter / Printer for EOC	\$ -	\$ 1,499	\$ -	\$ -	\$ -	\$ 1,499
ENTS-0242	Replace 3 laptops for County Administration	\$ -	\$ 4,350	\$ -	\$ -	\$ -	\$ 4,350
ENTS-0243	Replace 3 PC's in Attorney's Office	\$ 3,300	\$ -	\$ -	\$ -	\$ -	\$ 3,300
ENTS-0244	Replace 6 laptops for County Attorney Office	\$ 8,700	\$ -	\$ -	\$ -	\$ -	\$ 8,700
ENTS-0245	Replace laptop for Assessor's Department	\$ 1,450	\$ -	\$ -	\$ -	\$ -	\$ 1,450
ENTS-0246	Replace laptop in Auditor's Department	\$ 1,450	\$ -	\$ -	\$ -	\$ -	\$ 1,450
ENTS-0247	Replace 2 Desktop PC's in Probation	\$ -	\$ 2,200	\$ -	\$ -	\$ -	\$ 2,200
ENTS-0248	Replace 2 laptops in Probation due to age	\$ 2,900	\$ -	\$ -	\$ -	\$ -	\$ 2,900
ENTS-0250	Replace 4 PC's in ECC / 911 Center due to age	\$ 4,400	\$ -	\$ -	\$ -	\$ -	\$ 4,400
ENTS-0251	Replace 2 PC's in HHS due to age	\$ 2,200	\$ -	\$ -	\$ -	\$ -	\$ 2,200
ENTS-0252	Replace 32 Laptops in HHS due to age	\$ -	\$ 46,400	\$ -	\$ -	\$ -	\$ 46,400
ENTS-0253	Replace 8 laptops in the Jail due to age	\$ -	\$ 10,150	\$ -	\$ -	\$ -	\$ 10,150
ENTS-0254	Replace 3 Desktop PC's in the Jail due to age	\$ 3,300	\$ -	\$ -	\$ -	\$ -	\$ 3,300
ENTS-0255	Replace "all in one" printer for Sheriff's Office due to age	\$ 750	\$ -	\$ -	\$ -	\$ -	\$ 750
ENTS-0256	Replace 6 Desktop PC's in Sheriff's Office due to age	\$ 6,600	\$ -	\$ -	\$ -	\$ -	\$ 6,600
ENTS-0257	Replace 4 Laptops in Sheriff's Office due to age	\$ -	\$ 5,800	\$ -	\$ -	\$ -	\$ 5,800
ENTS-0258	Vel's Affairs replace 1 laptop due to age	\$ -	\$ 1,450	\$ -	\$ -	\$ -	\$ 1,450
ENTS-0259	Replace 1 printer due to age in Zoning	\$ 850	\$ -	\$ -	\$ -	\$ -	\$ 850
ENTS-0260	Replace 3 laptops in Zoning due to age	\$ -	\$ 4,350	\$ -	\$ -	\$ -	\$ 4,350
ENTS-0263	Upgrade dedicated high volume edge switches for Telephones.	\$ -	\$ 182,113	\$ -	\$ -	\$ -	\$ 182,113
ENTS-0266	Security Video, and Server Management	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
ENTS-0266	NG-911 Upgrade *ESTIMATE ONLY*	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Enterprise Services Total		\$ 924,186	\$ 717,576	\$ 200,200	\$ -	\$ -	\$ 1,841,962

Chisago County Capital Improvement Program

Projects by Department

Project Number	Project Name	2023	2024	2025	2026	2027	Total
Environmental Services							
ENVS-0114	7 - Ki-Chi-Saga Playground Swing	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000
ENVS-0115	2 - Parking Lot Gravel & Grading Frandsen/Checkerboard Parks	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000
ENVS-0116	3 - Swedish Immigrant Regional Trail Pavement Repair	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000
ENVS-0118	4 - Parks 1998 Tractor Trailer Replacement	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000
ENVS-0119	5 - Parks 2001 Trailer Replacement	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000
ENVS-0239	1 - Parks Maintenance Facility Well	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000
ENVS-0241	6 - Sunrise Prairie Regional Trail-Subgrade Correction and Paving	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000
Environmental Services Total		\$ 125,000	\$ -	\$ -	\$ -	\$ -	\$ 125,000

Facilities & Maintenance							
MNT-0054	PCS (public safety center): crackfill, sealcoat, re stripe of parking lots and	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ 20,000
MNT-0055	Courthouse lots: east lot, handicap and judges, crackfill, sealcoat, re stripe	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ 5,000
MNT-0061	Replace water heater at the Courthouse	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ 7,500
MNT-0063	Replace carpet in the main public hallways of the 1989 Courthouse.	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ 60,000
MNT-0071	Man lift for use at PCS	\$ 18,000	\$ -	\$ -	\$ -	\$ -	\$ 18,000
MNT-0072	Replace furnace at Almelund PW building.	\$ -	\$ -	\$ -	\$ -	\$ 5,100	\$ 5,100
MNT-0076	Replace exterior doors at North Branch HHS	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
MNT-0080	Replace boilers at 3 Chisago county libraries (Chisago Lakes, Wyoming a	\$ -	\$ -	\$ 240,000	\$ -	\$ -	\$ 240,000
MNT-0094	Replacement APC Automatic Transfer Switches (ATS) for AC power, multipl	\$ 9,500	\$ -	\$ -	\$ -	\$ -	\$ 9,500
MNT-0186	Repair / replace retaining wall around large parking lot at the Courthous	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ 250,000
MNT-0190	Replace standby generators Courthouse.	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ 250,000
MNT-0191	Replace old alarm system in the 89 side of the Courthouse & DES	\$ -	\$ 80,000	\$ -	\$ -	\$ -	\$ 80,000
MNT-0193	Replace analog cameras in Courthouse for courthouse security	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ 30,000
MNT-0215	Replace Forensic Workstation in Sheriff's Office	\$ -	\$ 8,500	\$ -	\$ -	\$ -	\$ 8,500
MNT-0219	Better Hallway Signage on 3rd floor	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000
MNT-0267	Fencing and Parking Gate at PCS	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
Facilities & Maintenance Total		\$ 141,000	\$ 678,500	\$ 270,000	\$ -	\$ 5,100	\$ 1,094,600

HHS							
HHS-0195	Child Protection interview/visitation rooms	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ 40,000
HHS-0196	HHS Interview Rooms	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ 40,000
HHS Total		\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ 80,000

Probation							
Add 1 WDA / Laptop to Probation *May need added software licenses for Pro Phoenix							
PBTN-0249		\$ 3,200	\$ 500	\$ 500	\$ 500	\$ 500	\$ 5,200
Probation Total		\$ 3,200	\$ 500	\$ 500	\$ 500	\$ 500	\$ 5,200

Public Works							
PWKS-0171	Tandem Snow Plow Truck	\$ 170,000	\$ 160,000	\$ -	\$ -	\$ -	\$ 330,000
PWKS-0172	Tandem Snow Plow Truck	\$ 170,000	\$ 160,000	\$ -	\$ -	\$ -	\$ 330,000
PWKS-0173	Tandem Snow Plow Truck	\$ -	\$ -	\$ 270,000	\$ -	\$ -	\$ 270,000
PWKS-0174	Tandem Snow Plow Truck	\$ -	\$ 340,000	\$ -	\$ -	\$ -	\$ 340,000
PWKS-0175	Tandem Snow Plow Truck	\$ -	\$ -	\$ -	\$ 360,000	\$ -	\$ 360,000

Chicago County Capital Improvement Program

Projects by Department

Project Number	Project Name	2023	2024	2025	2026	2027	Total
PJL PWKS-0176	Tandem Snow Plow Truck	\$ -	\$ -	\$ -	\$ -	\$ 375,000	\$ 375,000
PWKS-0208	1-ton Work Truck	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ 75,000
PWKS-0209	1-ton Work Truck	\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ 80,000
PWKS-0226	Tandem Snow Plow	\$ 170,000	\$ 160,000	\$ -	\$ -	\$ -	\$ 330,000
PWKS-0227	Survey Equipment	\$ 74,000	\$ -	\$ -	\$ -	\$ -	\$ 74,000
PWKS-0229	Slumpgrinder	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000
PWKS-0230	Changeable Message Signs	\$ 37,000	\$ -	\$ -	\$ -	\$ -	\$ 37,000
PWKS-0231	Polaris Ranger	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000
PWKS-0233	Fuel Island Repairs	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Public Works Total		\$ 841,000	\$ 895,000	\$ 270,000	\$ 340,000	\$ 375,000	\$ 2,741,000
Total		\$ 9,369,907	\$ 3,058,814	\$ 1,248,518	\$ 880,147	\$ 848,931	\$ 15,406,317

CIP REQUESTS	2,696,051
ARPA REQUESTS	5,857,156
ARPA ARMER REQUESTS	816,700

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0062

PROJECT NAME: Replace ceiling grid and tile in the hallways of the 1989 Courthouse.

Department:	ARPA	
Division:	County Buildings	
Project Location:	Courthouse	
Project Year	2023	

Project Description:

Replace ceiling grid and tile in the hallways of the 1989 Courthouse. The ceiling grid and tiles used in the 1989 construction were too narrow and do not hold the ceiling tiles in place. Ceiling tiles fall out, sometimes fall to the floor.

Project Justification:

Replace ceiling grid and tile in the hallways of the 1989 Courthouse. The ceiling grid and tiles used in the 1989 construction were too narrow and do not hold the ceiling tiles in place. Ceiling tiles fall out, sometimes fall to the floor. The only way to fix is to replace the ceiling tiles and grid with a standard configuration.

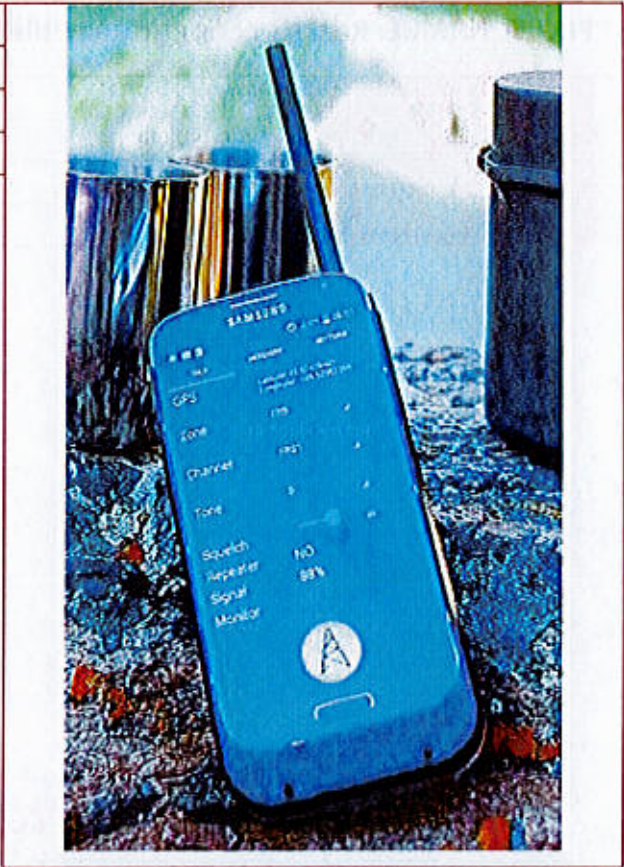
Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
Total	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0086

PROJECT NAME: Broadband PTT Solution (ARMER Radio to Smartphone)

Department:	ARPA
Division:	ARMER
Project Location:	Towers
Project Year	2023



Project Description:

Broadband PTT Solution (ARMER Radio to Smartphone), this will reduce the amount of ARMER portables needed for occasional usage.

Project Justification:

Broadband PTT Solution (ARMER Radio to Smartphone), this will reduce the amount of ARMER portables needed for occasional usage.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$15,000	\$0	\$0	\$0	\$0	\$15,000
Total	\$0	\$15,000	\$0	\$0	\$0	\$0	\$15,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0087

PROJECT NAME: Increase microwave bandwidth to Nessel ARMER site.

Department:	ARPA	
Division:	ARMER	
Project Location:	Towers	
Project Year	2023	

Project Description:

Increase microwave bandwidth to Nessel ARMER site.

Project Justification:

Increase microwave bandwidth to Nessel ARMER site. More bandwidth is needed as more equipment is added at site.

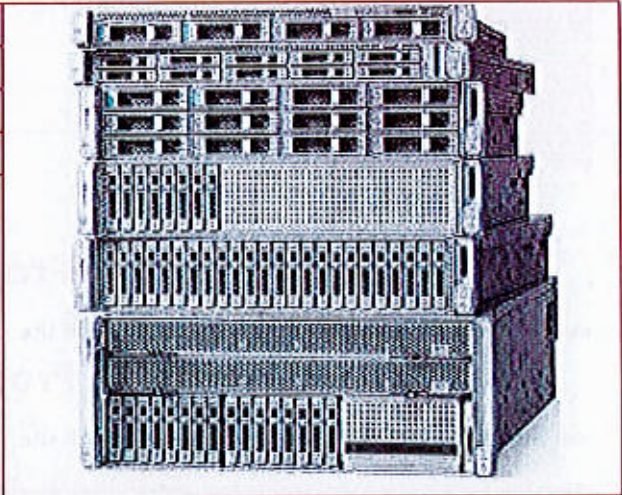
Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$1,700	\$0	\$0	\$0	\$0	\$1,700
Total	\$0	\$1,700	\$0	\$0	\$0	\$0	\$1,700

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0092

PROJECT NAME: Cisco USC Interconnects / Chassis, Possible ARPA Funds

Department:	ARPA
Division:	Enterprise Services
Project Location:	Other
Project Year	2024



Project Description:

Upgrade Cisco UCS chassis and interconnects at all data centers. The large increase in use of technology during / since COVID has expedited this upgrade of equipment. ARPA funds could be used for this project.

Project Justification:

Upgrade Cisco UCS chassis and interconnects at all data centers. The large increase in use of technology during / since COVID has expedited this upgrade of equipment. ARPA funds could be used for this project.

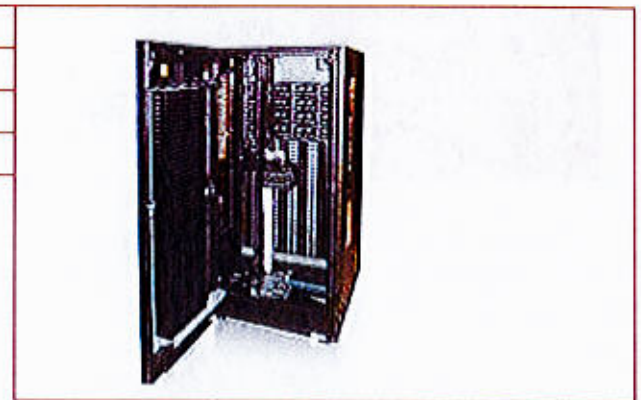
Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$229,032	\$0	\$0	\$0	\$0	\$229,032
Total	\$0	\$229,032	\$0	\$0	\$0	\$0	\$229,032

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0093

PROJECT NAME: Upgrade Backup Exec Tape Library

Department:	ARPA
Division:	Enterprise Services
Project Location:	North Branch HHS
Project Year	2023



Project Description:

Upgrade Backup Exec Tape Library, the tape library is used to provide off-site backup of all Chisago County's networked data. The existing system is old and outdated and needs to be replaced.

Project Justification:

Upgrade Backup Exec Tape Library hardware and software, the tape library is used to provide off-site backup of all Chisago County's networked data. The existing system is old and outdated and needs to be replaced. This is a critical part of the data security and protection process.

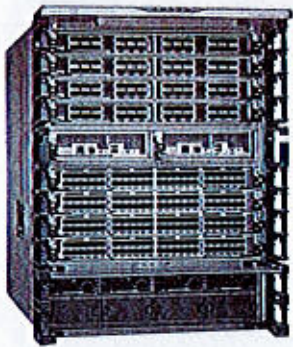
Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
Total	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0100

PROJECT NAME: Add network core devices at the NB HHS data center

Department:	ARPA
Division:	Enterprise Services
Project Location:	North Branch HHS
Project Year	2024



Project Description:

Upgrade network core devices at the NB HHS data center, replacement has been escalated due to increased load from expanded technology use due to COVID. Use of ARPA funds possible.

Project Justification:

Upgrade network core devices at the NB HHS data center, replacement has been escalated due to increased load from expanded technology use due to COVID. Use of ARPA funds possible.

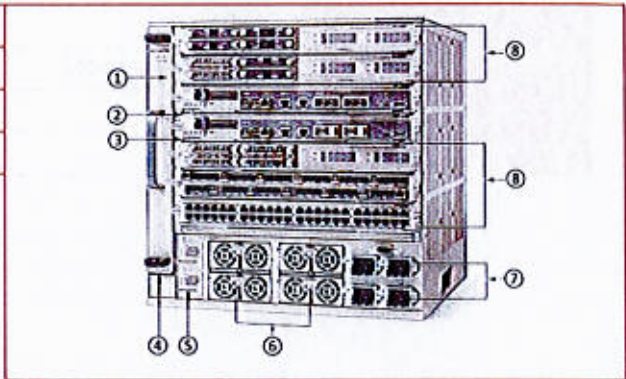
Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$0	\$270,905	\$0	\$0	\$0	\$270,905
Total	\$0	\$0	\$270,905	\$0	\$0	\$0	\$270,905

Capital Improvement Project **2023 through 2027**

PROJECT # ARPA-0101

PROJECT NAME: Upgrade data center fabric network switches at the ECC data center

Department:	ARPA
Division:	Enterprise Services
Project Location:	Other
Project Year	2023



Project Description:

Upgrade data center network switches at the ECC data center, replacement has been escalated due to increased load from expanded technology use due to COVID.

Project Justification:

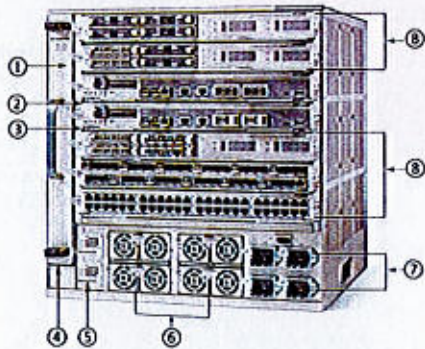
Upgrade data center network switches at the ECC data center, replacement has been escalated due to increased load from expanded technology use due to COVID. Use of ARPA funds possible.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
Total	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0102

PROJECT NAME: Upgrade data center fabric network switches at the Courthouse data center

Department:	ARPA	
Division:	Enterprise Services	
Project Location:	Courthouse	
Project Year:	2023	

Project Description:

Upgrade data center network switches at the Courthouse data center, WAN aggregation, replacement has been escalated due to increased load from expanded technology use due to COVID. Use of ARPA funds possible. These switches are over expected life span.

Project Justification:

Upgrade data center network switches at the Courthouse data center, replacement has been escalated due to increased load from expanded technology use due to COVID. Use of ARPA funds possible. These switches are over expected life span.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
County Program Aid (CPA)	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
Total	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0117

PROJECT NAME: Park Maintenance Cold Storage and Shop

Department:	ARPA
Division:	Parks
Project Location:	Other
Project Year	2023



Project Description:

Cold storage/pole building needed to get vehicles, equipment and implements safely stored and protected at the Parks Maintenance Shop.

Project Justification:

Prolongs equipment life, reduces general long term maintenance and upkeep by reducing exposure to elements, provides enhanced security and efficient site utilization.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000
Total	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0133

PROJECT NAME: Cyber Security Audit, Testing and Mitigation

Department:	ARPA	
Division:	Enterprise Services	
Project Location:	Courthouse	
Project Year	2024	

Project Description:

Cyber Security audits should be done every 2 years, some federal regulations ask for this when we are audited. Because of the massive growth in the use of technology and remote work due to COVID this audit is highly recommended.

Project Justification:

Cyber Security audits should be done every 2 years, which has not been the case in Chisago County, some federal regulations ask for this when we are audited. Because of the massive growth in the use of technology and remote work due to COVID this audit is highly recommended. Mitigation of risks is a very important part of the audit.

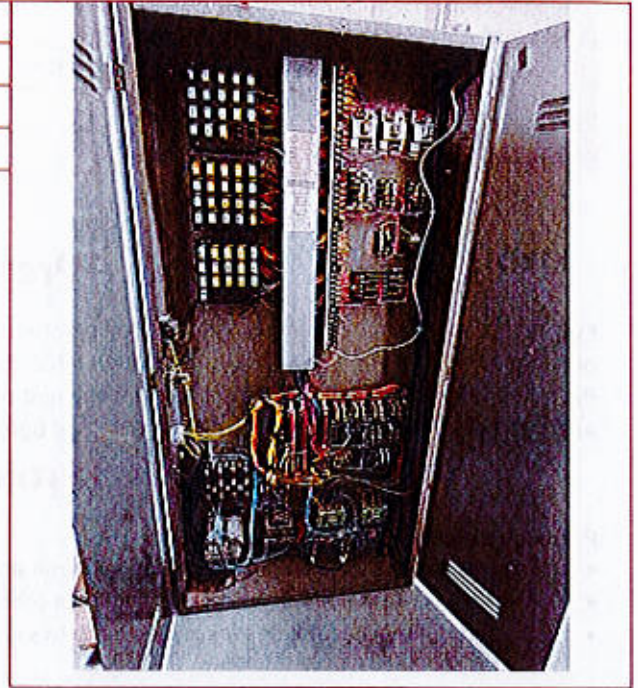
Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000
Total	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0135

PROJECT NAME: Repair elevator on 1973 side of Courthouse

Department:	ARPA
Division:	County Buildings
Project Location:	Courthouse
Project Year	2023



Project Description:

Repair elevator on 1973 side of courthouse.

Project Justification:

Repair elevator on 1973 side of courthouse. This elevator is need as a backup to the 1989 elevator. Currently if the 1989 elevator is out of service there is no way for anyone who can not climb stairs to get to the 3rd floor.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000
Total	\$0	\$280,000	\$0	\$0	\$0	\$0	\$280,000

Capital Improvement Project **2023 through 2027**

PROJECT # ARPA-0180

PROJECT NAME: Online Permitting/Licensing Module

Department:	ARPA	
Division:	Environmental Services	
Project Location:	Courthouse	
Project Year	2023	

Project Description:

Evaluate and enlist a module for online building permitting, land use, solid waste. Vendor does identify potential for ARPA funding of one-time deployment and annual subscription fee thereafter. This is the same vendor in which we use for the new budget development software/process. This is a replacement of current software, the costs do not include all the existing interfaces into GIS and TAX records. More research needs to be done before this project has a final, true budget.

Project Justification:

Potential benefits, uyet to be fully vetted:

- Bring services online for residents to submit and pay for applications without needing to come to County offices
- Increase internal efficiency by providing a central location for employees to review and approve applications
- Utilize mobile capabilities for inspectors to save time in their day-to-day process

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$95,000	\$50,000	\$50,000	\$50,000	\$50,000	\$295,000
Total	\$0	\$95,000	\$50,000	\$50,000	\$50,000	\$50,000	\$295,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0182

PROJECT NAME: Camera Work Station for Jail

Department:	ARPA
Division:	Jail
Project Location:	Sheriff's Office/Jail
Project Year	2023



Project Description:

A camera work station that would allow on-duty Sergeants the abilities to monitor and download jail camera footage.

Project Justification:

This new hardware would allow Sergeants to perform essential duties and improve supervision of staff and inmates while promoting social distancing. There is no current camera access for Sergeants, which require face-to-face supervision and interactions of both staff and inmates. This project would fall under an ARP request for funding.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
County Program Aid (CPA)	\$0	\$5,061	\$0	\$0	\$0	\$0	\$5,061
Total	\$0	\$5,061	\$0	\$0	\$0	\$0	\$5,061

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0202

PROJECT NAME: Cisco UCS in DMZ Replacement of Chassis and Fabric Interconnects

Department:	ARPA
Division:	Enterprise Services
Project Location:	Courthouse
Project Year	2024



Project Description:

Cisco UCS in DMZ Replacement of Chassis and Fabric Interconnects

Project Justification:

The Cisco UCS chassis and Fabric interconnects in the DMZ/Courthouse Data Center need to be replaced due to age and increased load.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
County Program Aid (CPA)	\$0	\$53,400	\$0	\$0	\$0	\$0	\$53,400
Total	\$0	\$53,400	\$0	\$0	\$0	\$0	\$53,400

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0240

PROJECT NAME: Chisago County Mountain Bike Course

Department:	ARPA	
Division:	Parks	
Project Location:	Other	
Project Year	2023	

Project Description:

2.5-3 mile single track mountain bike course located at Ki Chi Saga County Park.

Project Justification:

Improve health and well-being, benefits local tourism and provides a course for the local Mountain Bike Clubs.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
County Program Aid (CPA)	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
Total	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0261

PROJECT NAME: Upgrade of ARMER Microwave backhaul system- this is a multi year project

Department:	ARPA	
Division:	ARMER	
Project Location:	Towers	
Project Year	2023	

Project Description:

Upgrade of ARMER Microwave backhaul system- this is a multi year project. This upgrade is needed to be able to keep system operating properly as mandatory system upgrades are done. Cost are just estimate at this time as final design would be part of the project.

Project Justification:

Upgrade of ARMER Microwave backhaul system- this is a multi year project. This upgrade is needed to be able to keep system operating properly as mandatory system upgrades are done.

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$800,000		\$0	\$0	\$0	\$800,000
Total	\$0	\$800,000	\$0	\$0	\$0	\$0	\$800,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0300

PROJECT NAME: Harris Wash Bay & Truck Building

Department:	ARPA	
Division:	Public Works	
Project Location:	Highway – Harris	
Project Year	2023	

Project Description:

- Construction of new wash bay
- Construction of truck building
- Potential parking lot reconstruction

Architectural & Engineering fees of \$148,300 already ARPA approved and not included in this total

Project information included in July 13th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$1,858,886	\$0	\$0	\$0	\$0	\$1,858,886
Total	\$0	\$1,858,886	\$0	\$0	\$0	\$0	\$1,858,886

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0301

PROJECT NAME: Central Shop Expansion & Renovation

Department:	ARPA	
Division:	Public Works	
Project Location:	Highway – Center City	
Project Year	2023	

Project Description:

- Update/expand both lunch rooms
- Add an office in the Maintenance area
- Expand conference room

Project details can be found in July 13th B&F meeting packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$629,577	\$0	\$0	\$0	\$0	\$629,577
Total	\$0	\$629,577	\$0	\$0	\$0	\$0	\$629,577

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0302

PROJECT NAME: Chisago County Community Building

Department:	ARPA	
Division:	Parks	
Project Location:	Other	
Project Year	2023	

Project Description:

- Offer opportunities and meeting spaces for local organizations, daycares, day camps and clubs
- Provides education and experience for adults and children to explore nature in an outdoor and indoor setting
- Serves as a storm shelter

Additional project information can be found in the June 8th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$350,000	\$0	\$0	\$0	\$0	\$350,000
Total	\$0	\$350,000	\$0	\$0	\$0	\$0	\$350,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0303

PROJECT NAME: Swedish Immigrant Regional Trail Connection with Hwy 8

Department:	ARPA	
Division:	Parks	
Project Location:		
Project Year	2023	

Project Description:

Possible trail connection from ending location of Hwy 8 trail project into Lakeside Elementary School

Additional project information can be found in the June 8th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000
Total	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0304

PROJECT NAME: Ki Chi Saga Park Municipal Building

Department:	ARPA	
Division:	Parks	
Project Location:		
Project Year	2023	

Project Description:

- Building will include new restroom facility, storage space, concessions, and serve as a storm shelter
- Provides a meeting space for special events and tournaments

Additional project details can be found in the June 8th B&F meeting packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000
Total	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0305

PROJECT NAME: Water Resources Grant Match

Department:	ARPA	
Division:	LID	
Project Location:		
Project Year	2023	

Project Description:

To develop a Water Resource Match Grant program for lake associations to apply for grant funding for projects initiated and completed by lake associations in the county. Water Resources staff would develop the grant program, along with the grant scoring criteria.

Additional project information can be found in the September 13th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$250,000	\$0	\$0	\$0	\$0	\$250,000
Total	\$0	\$250,000	\$0	\$0	\$0	\$0	\$250,000

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0306

PROJECT NAME: Water Resources Truck

Department:	ARPA	
Division:	LID	
Project Location:		
Project Year	2023	

Project Description:

Currently 5 LID and Water Resources staff share one 3/4 ton pickup truck purchased in 2014 to pull the county Landa decontamination unit.

Additional project information can be found in the September 13th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000
Total	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0307

PROJECT NAME: Lower St. Croix Watershed Planning

Department:	ARPA	
Division:	LID	
Project Location:		
Project Year	2023	

Project Description:

To complete the implementation action items, measurable outputs and goals in the Lower St. Croix Comprehensive Watershed Management Plan:

- \$5,000 laptops for Water Resource Manager and AIS Specialist/Lead Watercraft Inspector positions
- \$10,000 to purchase new AIS signage at all public water access in the County
- \$5,000 to develop AIS Rapid Response plans
- \$1,200 to implement a Volunteer Water Quality Monitoring Program at Sunrise lake
- \$200,000 to develop a county wide groundwater plan
- \$100,000 to develop a county wide Lake Management Plan
- \$100,000 Checkerboard Park plans

Additional project information can be found in the September 13th B&F packet

- \$

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$421,200	\$0	\$0	\$0	\$0	\$421,200
Total	\$0	\$421,200	\$0	\$0	\$0	\$0	\$421,200

Capital Improvement Project 2023 through 2027

PROJECT # ARPA-0308

PROJECT NAME: AIS Programming

Department:	ARPA	
Division:	LID	
Project Location:		
Project Year	2023	

Project Description:

Countywide AIS programming, such as a CD3 type station

Additional project information can be found in the September 13th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$35,000	\$0	\$0	\$0	\$0	\$35,000
Total	\$0	\$35,000	\$0	\$0	\$0	\$0	\$35,000

Capital Improvement Project
2023 through 2027

PROJECT # ARPA-0309

PROJECT NAME: Full-Time AIS Specialist/Lead Watercraft Inspector

Department:	ARPA	
Division:	LID	
Project Location:		
Project Year	2023	

Project Description:

Currently addition 10 hours/week to the current part-time AIS Specialist/Lead Watercraft Inspector position over the last three years.

Additional project information can be found in the September 13th B&F packet

Project Justification:

Funding Sources	Prior	FY2023	FY2024	FY2025	FY2026	FY2027	Total
ARPA	\$0	\$40,000	\$0	\$0	\$0	\$0	\$40,000
Total	\$0	\$40,000	\$0	\$0	\$0	\$0	\$40,000

2022 Capital Improvement Plan (CIP) Issue and Review

MICS is requesting reallocation of ENTS-068 of \$5,000 and ENTS-070 of \$25,000 to ENTS-095 (KeySecure) to cover overages.

This corrects the RBA that stated \$20,000 of the contract overage would come from their operating budget and \$38,140 from unallocated CIP. Total project cost is \$148,100, original budget of \$90,000. Of the \$58,140 overage, it is requested that \$30,000 be reallocated from ENTS-068 and ENTS-070, with the remaining \$28,140 coming from unallocated CIP. Use of unallocated CIP funds was approved at the 9/21 Board Meeting.

III

Chisago County Request for Board Action

Meeting Date: September 21, 2022	Item Number: ***** 20 *****
Title of Item for Consideration: KeySecur Network Encryption Renew	
Action Requested by: Jon Eckel, Director	Department: Enterprise Services
Previous Action on this Matter: Approved in the 2022 DES CIP.	
Background: These devices and software provide and store all of the encryption methods and keys for the entire Chisago County network and SANs storage. Encryption is required by many federal and state laws and rules around data security. This was budgeted in the 2022 DES CIP. However, since the time of the budget the cost has gone up. The 2021 cost was \$90,000.00 since that time the costs have went to \$148,140.00. It requested that the County use \$58,140.00 from the CIP unallocated funds to cover this expense. This is a vital part of the network and is going into end of support, so we have to replace it. Attachment(s): Quote for KeySecur	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board of Commissioners approve the purchase of the KeySecur system for a total cost of \$148,140.00 using unallocated CIP funds to cover the cost increase. The following motion is suggested: <i>"move to approve the purchase of the KeySecur system upgrade for a total cost of \$148,140.00 using unallocated CIP funds to cover the cost increase."</i>	
Implications of Action: This equipment is required to keep the current data that is encrypted to federal standards available. Budget/Financial Implications: This will use \$38,140.00 of unallocated CIP funds (NO MORE Unallocated 2022 CIP Remain). The remainder will come from unused 2022 DES operating funds. Legal/Policy Implications: Purchased via a GSA contract held by CDWG.	
Administrator's Recommendation	
Approve _____	Deny _____
Other _____	
Motion By:	Seconded by:
To:	
Action on Motion:	Aye _____
	Nay _____
	Abstain _____

**2022 Capital Improvement Plan
Budget to Actual
As of October 6, 2022**

Description	Status	ADMINISTRATION		Remaining	Project #
		Source	Budget		
County Codification Services		CARRYOVER	15,000.00	-	
Total Carryover from 2021			15,000.00	15,000.00	
Indoor Air Quality Assessment - Courts and Judge's Chamber	COMPLETE	2022 CIP BUDGET	5,100.00	(5,100.00)	
Office Remodel - Veterans's Services		2022 CIP BUDGET	10,000.00	-	
Total 2022 CIP Budget			25,100.00	10,000.00	
Grand Total			40,100.00	25,000.00	
AUDITOR TREASURER'S OFFICE					
Description	Status	Source		Remaining	Project #
		Source	Budget		
Electron Results - Storage Media	COMPLETE	2022 CIP BUDGET	4,500.00	(4,290.00)	AUD-0139
Heavy Print	COMPLETE	2022 CIP BUDGET	5,000.00	(5,288.00)	AUD-0140
Backup Election Equipment	COMPLETE	2022 CIP BUDGET	10,000.00	(10,092.00)	AUD-0008
Election Notebook Replacement	CARRYOVER TO 2023	2022 CIP BUDGET	21,000.00	-	AUD-0238
Election Equipment Replacement Fund	CARRYOVER TO 2023	2022 CIP BUDGET	50,000.00	(50,000.00)	AUD-0137
Lease Software	COMPLETE	From Unallocated	13,400.00	(13,400.00)	
Total			113,900.00	(132,990.00)	
FACILITY MAINTENANCE					
Description	Status	Source		Remaining	Project #
		Source	Budget		
Entrance Door Badge Access at PSC	CARRYOVER TO 2023	2022 CIP BUDGET	5,500.00	-	ENVS-0188
Panic Buttons for County Attorney Area	IN PROCESS	2022 CIP BUDGET	6,000.00	(4,777.50)	ENVS-0020
Fence Around Governor at PSC	CARRYOVER TO 2023	2022 CIP BUDGET	12,000.00	-	ENVS-0185
Remodel Public Area of O's	IN PROCESS	2022 CIP BUDGET	14,000.00	(7,803.00)	ENVS-0178
Cameras at PSC	IN PROCESS	2022 CIP BUDGET	49,600.00	-	ENVS-0184
Parking Garage/Fence at PSC	CARRYOVER TO 2023	2022 CIP BUDGET	50,000.00	-	ENVS-0189
Total			127,100.00	(12,580.50)	
SHERIFF'S OFFICE					
Description	Status	Source		Remaining	Project #
		Source	Budget		
Insurance Reimbursements		REVENUE	-	14,946.50	
Auction Proceeds		REVENUE	-	1,801.00	
Total Revenue			-	16,747.50	
Prison Radar Units	IN PROCESS	CARRYOVER	4,989.82	-	
Insurance Reimbursements		CARRYOVER	132,716.57	-	
Auction Proceeds		CARRYOVER	9,705.00	(1,476.38)	
Squad Vehicle Replacement & Accessories	COMPLETE	CARRYOVER	58,596.16	(58,596.16)	
Transport Vehicle	COMPLETE	CARRYOVER	33,000.00	(33,000.00)	
Total Carryover from 2021			228,007.55	(93,672.54)	
Radar Speed Trailer	COMPLETE	2022 CIP BUDGET	12,323.00	(12,323.00)	CCSO-0021
Patrol Rifle Replacements (30)	COMPLETE	2022 CIP BUDGET	41,908.00	(41,908.00)	CCSO-0042
Replacement Squads & Accessories	IN PROCESS	2022 CIP BUDGET	286,200.00	(278,787.97)	CCSO-0141
Total 2022 CIP Budget			340,433.00	(833,011.97)	
Grand Total			567,433.55	(897,337.01)	

SQUADS - new replacement on order
Overage on Jail Transport Vehicle - Total Cost \$34,476.38
Allocate squad purchase on 9/13/22 to use remaining 2021 carryover

CCSO-0021 9/13/22 squad purchases are not remaining 2021 squad carryover

2022 Capital Improvement Plan Budget to Actual As of October 6, 2022

PUBLIC WORKS					
Description	Status	Source	Budget	Actual	Remaining
Tandem Dump Trucks (3)	COMPLETE	CARRIWAY	781,330.71	(781,330.71)	189,722.00
Bringing Equipment (Primarily Heavy Wash Bay)	IN PROCESS	CARRIWAY	275,000.00	(186,276.00)	188,722.00
Total Carryover from 2021			4,056,100.71	(3,885,000)	1,846,722.00
Harris Fleet Station (2020 CR - no carryover)	COMPLETE		-	(13,885,000)	(13,885,000)
Star Street Trailer	ORDERED - ARRIVING EARLY 2022	2022 CIP BUDGET	19,276.20	-	19,276.20
Landway Trailer	ORDERED - ARRIVING SEPT 2022	2022 CIP BUDGET	38,118.04	-	38,118.04
Freight Head	COMPLETE	From Unallocated	39,109.24	(36,278.24)	2,790.00
Water Tank Hoses	COMPLETE	2022 CIP BUDGET	40,999.00	(34,000.00)	6,999.00
1.75m Wheel Truck	COMPLETE	2022 CIP BUDGET	54,000.00	(59,999.00)	60,000.00
Star Street	ON HOLD FOR PRICING/AVAILABILITY	2022 CIP BUDGET	60,000.00	-	60,000.00
1.75m Tipper Truck	COMPLETE	2022 CIP BUDGET	71,260.00	(73,260.00)	-
Verdon	ON HOLD	2022 CIP BUDGET	78,563.00	-	78,563.00
John Mower	COMPLETE	2022 CIP BUDGET	135,683.64	(135,683.64)	-
Sag Truck	ORDERED - ARRIVING SEPT 2022	2022 CIP BUDGET	176,012.00	-	176,012.00
Tandem Dump Truck	ORDERED - ARRIVING EARLY 2022	2022 CIP BUDGET	220,000.00	-	220,000.00
CAIT 928 Aggregate Loader (Purchased in 2021 with fund transfer)	COMPLETE	2022 CIP BUDGET	369,504.00	-	369,504.00
Adopt cost for binning equipment	IN PROCESS	From Unallocated	10,000.00	(152,796.48)	894,969.24
Total 2022 CIP Budget			1,340,226.42	(1,230,205.99)	2,093,699.24
Grand Total			2,386,164.63	-	2,093,699.24
PARKS/RECREATION/DEVELOPMENTAL					
Description	Status	Source	Budget	Actual	Remaining
Auction Proceeds		REVENUE	-	10,326.00	10,326.00
Total Revenue			-	10,326.00	10,326.00
Carriway from 2020	COMPLETE	CARRIWAY	9,400.00	10,326.00	9,400.00
Swing and Slide for West Open Park	COMPLETE	CARRIWAY	10,000.00	(10,000.00)	-
Savanna Prairie Trail - 15th March	COMPLETE	CARRIWAY	209,000.00	(209,000.00)	-
Total Carryover from 2021			228,400.00	(10,000.00)	218,400.00
Kent Park ADA Ramp Repairs	COMPLETE	2022 CIP BUDGET	1,675.00	(14,625.00)	17,500
ADA Pathway-Compliance Improvements	COMPLETE	2022 CIP BUDGET	15,000.00	(14,625.00)	-
Mower Trailer	COMPLETE	2022 CIP BUDGET	4,564.50	(4,568.50)	-
Fish Lake Park Play/Design Services	IN PROCESS	2022 CIP BUDGET	18,000.00	-	18,000.00
Service Prairie Trail Sculpture	COMPLETE	2022 CIP BUDGET	24,375.00	(22,950.00)	1,425.00
Swedish Immigrant Trail (Green Center) Measures	IN PROCESS	2022 CIP BUDGET	25,000.00	-	25,000.00
Security Lighting & Electrical Services	IN PROCESS	2022 CIP BUDGET	25,000.00	(29,583.56)	5,446.44
Woodchopper	COMPLETE	2022 CIP BUDGET	31,731.59	(29,942.00)	1,791.59
Chickadee Park Restroom Renovation & Replace	COMPLETE	2022 CIP BUDGET	61,950.00	(61,797.50)	152.50
Rh-Chi-Sage Park Covered Decking & Fence	COMPLETE	2022 CIP BUDGET	20,750.00	(70,750.00)	-
Total 2022 CIP Budget			289,000.00	(234,908.56)	54,091.44
Total Remaining			517,400.00	(234,593.56)	282,806.44

Adopt funds from unallocated and ENVS-0123 and PWYS-0134. Approved at BdF on 8/10/22

Reclassification approved at BdF on 5/11/22

Not budgeted. Original project in 2020 CR.

PWYS-0166 Reclass entry 52,790 to Tandem's. Bd App'd 08/10/22

PWYS-0165 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0164 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0163 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0162 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0161 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0160 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0159 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0158 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0157 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0156 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0155 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0154 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0153 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0152 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0151 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0150 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0149 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0148 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0147 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0146 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0145 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0144 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0143 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0142 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0141 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0140 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0139 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

PWYS-0138 Reclass entry 50,093 to Tandem's. Bd App'd 08/10/22

2022 Capital Improvement Plan

Budget to Actual

As of October 6, 2022

TECHNOLOGY

Description	Source	Budget	Actual	Remaining
ARMER Testing Equipment	CARRYOVER	44,722.00	(6,923.64)	37,798.36
Total Carryover from 2021		44,722.00	(6,923.64)	37,798.36
Replacement network printer for HHS	2022 CIP BUDGET	300.00	-	300.00
Replace scanner for Probation Department	2022 CIP BUDGET	550.00	-	550.00
Replacement network printer for HHS	2022 CIP BUDGET	600.00	-	600.00
Replacement Printer for HHS	2022 CIP BUDGET	750.00	-	750.00
Replacement network printer for HHS	2022 CIP BUDGET	750.00	-	750.00
Replacement Printer for Enterprise Services	2022 CIP BUDGET	750.00	-	750.00
Replacement copy / printer for HHS	2022 CIP BUDGET	800.00	-	800.00
Replacement Printer for HR	2022 CIP BUDGET	850.00	-	850.00
Replacements printer for Assessors	2022 CIP BUDGET	850.00	-	850.00
Replacement PC for Public Works	2022 CIP BUDGET	850.00	-	850.00
Replacement projector for Public Works	2022 CIP BUDGET	850.00	-	850.00
Replace Projector for Zoning	2022 CIP BUDGET	850.00	-	850.00
Replace Printer for Zoning	2022 CIP BUDGET	850.00	-	850.00
Replacement high volume scanner for County Attorney	2022 CIP BUDGET	850.00	(956.24)	28.76
Replace high volume scanner for Auditor Department	2022 CIP BUDGET	985.00	-	985.00
Replacement scanner for Public Works	2022 CIP BUDGET	985.00	-	985.00
Replacement high volume scanner for Sheriff's Office	2022 CIP BUDGET	985.00	-	985.00
Replace scanner for Records office	2022 CIP BUDGET	985.00	-	985.00
Replacement PC for Sheriff's Office - Jail	2022 CIP BUDGET	985.00	-	985.00
Replacement Zebra Printer for County Administration	2022 CIP BUDGET	1,065.00	(992.17)	72.83
Replace printer for Records office	2022 CIP BUDGET	2,109.10	(2,939.06)	(829.96)
Replacement Laptop for Sheriff's Office - Jail Administration	2022 CIP BUDGET	1,200.00	-	1,200.00
Replacement projectors	2022 CIP BUDGET	1,235.00	(1,344.41)	(109.41)
Replacement projectors for County Attorney	2022 CIP BUDGET	1,700.00	(1,700.00)	-
Replace 2 PC's in 911 Center	2022 CIP BUDGET	1,700.00	(1,581.80)	118.20
Replace 2 PC's in Enterprise Services	2022 CIP BUDGET	1,950.00	(1,984.34)	(34.34)
Replacement of 2 Laptops in Sheriff's Office	2022 CIP BUDGET	2,000.00	-	2,000.00
Replace 3 PC's for County Attorney	2022 CIP BUDGET	2,470.00	(2,688.82)	(218.82)
3 replacements projectors for HHS	2022 CIP BUDGET	2,550.00	(2,976.51)	(426.51)
Replacement of 3 projectors in Sheriff's Office	2022 CIP BUDGET	2,550.00	-	2,550.00
Replace Scanner for Zoning	2022 CIP BUDGET	2,700.00	-	2,700.00
Replace 3 Laptops in Enterprise Services	2022 CIP BUDGET	3,100.00	-	3,100.00
Replace Tray Secure Printer for Records Office	2022 CIP BUDGET	3,935.00	(4,250.86)	(815.86)
Replace 4 Printers for Sheriff's Office - Jail, Jail Admin, SO A	2022 CIP BUDGET	4,000.00	-	4,000.00
Screening for Chiller at PSC	2022 CIP BUDGET	5,000.00	-	5,000.00
Replace 11 PC's for HHS	2022 CIP BUDGET	9,350.00	(10,913.87)	(1,563.87)
Replace 12 high volume scanners for HHS	2022 CIP BUDGET	11,820.00	-	11,820.00
Replace 12 PC's for Sheriff's Office	2022 CIP BUDGET	12,000.00	(11,906.04)	93.96
APC UPS Batteries for Jail	2022 CIP BUDGET	20,650.00	-	20,650.00
Kitchen Vent Hood Improvements	2022 CIP BUDGET	25,000.00	-	25,000.00
Replacement of 20 MDC's/Laptops for Sheriff's Office	2022 CIP BUDGET	50,000.00	(48,280.00)	1,720.00
Upgrade of KeySecure Data Encryption Equipment	2022 CIP BUDGET	118,140.00	-	118,140.00
Relocate the Wyoming Emergency Paging Tower	2022 CIP BUDGET	100,000.00	-	100,000.00
County Attorney Wi-Fi	From Unallocated	30,000.00	(15,245.63)	14,754.37
Total 2022 CIP Budget		435,349.10	(108,259.75)	327,089.35
Total Remaining		480,071.10	(115,183.39)	364,887.71

ENTS-040

ENTS-022

ENTS-042

ENTS-036

ENTS-038

ENTS-049

ENTS-035

ENTS-012

ENTS-014

ENTS-025

ENTS-029

ENTS-044

ENTS-045

ENTS-015

ENTS-021

ENTS-027

ENTS-041

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ENTS-019

ENTS-011

ENTS-016

ENTS-024

ENTS-047

ENTS-039

ENTS-020

ENTS-032

ENTS-033

ENTS-043

ENTS-046

ENTS-050

ENTS-017

ENTS-068

ENTS-034

ENTS-030

ENTS-037

ENTS-009

ENTS-070

ENTS-026

ENTS-095

ENTS-083

Spoke to Dennis, using funds from ENTS-011 to cover overage

Using 909.10 to cover overages in ENTS-013

No longer needed

No longer needed - part of Honeywell Energy Project

Over budget, requesting additional funds from ENTS-068 and ENTS-070. \$28,140

Budget to Actual
As of October 6, 2022

DAF
DAF
DAF
DAF
DAF

Administrative Board

Chisago County Request for Board Action

Meeting Date: October 19, 2022	Item Number: 13	
Title of Item for Consideration: Transportation of Children and Youth in Foster Care Placement Agreement		
Action Requested by: Robert Benson, Director	Department: Health and Human Services	
Previous Action on this Matter: Agreement was previously approved in 2019.		
Background: The Educational Stability Provisions of the Every Student Succeeds Act (ESSA) require that when a child or youth in foster care changes foster care placements, he or she remains in the school of origin with necessary transportation provided. ESSA allows educational agencies to use Title I funds to pay for additional costs needed to transport children in foster care to their school of origin. ESSA requires each local educational agency to collaborate with the local child welfare agency to develop and implement clear written procedures how the transportation will be provided, arranged, and funded for the duration of the time in foster care. Attachment(s): Transportation Agreement Chisago County and Phoenix Academy		
Action Requested/Recommended: It is respectfully requested that the Chisago County Board of Commissioners approve the Transportation Agreement Chisago and Phoenix Academy. The suggested motion is as follows: <i>“Move to approve the Transportation Agreement Chisago and Phoenix Academy”</i>		
Implications of Action: Approval of this agreement will assist with ensuring transportation for foster children to the school of origin. Budget/Financial Implications: Title IV-E funds and Title 1 funds. Legal/Policy Implications: The proposed activities are in compliance with all applicable state and federal regulations and County policies & procedures. The County Attorney has approved as to form.		
Administrator's Recommendation		
Approve	Deny _____	Other _____
Motion By: _____		Seconded by: _____
To: _____		
Action on Motion:	Aye _____	Nay _____
Abstain _____		

SERVICE AGREEMENT FOR THE TRANSPORTATION OF CHILDREN AND YOUTH IN FOSTER CARE PLACEMENT

This Agreement is entered into by and between Phoenix Academy of Art and Science 4253-07, 38460 Lincoln Trail, Suite 1, North Branch, MN 55056 (hereinafter referred to as the School) and County of Chisago, by and through Chisago County Health and Human Services, 313 North Main, Center City, MN 55102.

WHEREAS, the parties desire for the School to provide certain transportation services for students in foster care placement under the terms and conditions hereinafter set forth;

WHEREAS, pursuant to the Elementary and Secondary Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), youth placed in a foster care placement will remain enrolled in their school of origin, unless a determination is made that it is not in their best interest. Best interest factors include timeliness, consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.

WHEREAS, the term foster care is defined as 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. This definition is consistent with the Fostering Connections Act (45 CFR 1355.20).

WHEREAS, pursuant to the Elementary and Secondary Act (ESEA), as amended by the Every Student Succeeds Act, the School is required to collaborate with child welfare agency to develop and implement procedures for how transportation for youth in foster care will be provided, arranged and funded, including the use of child welfare funding to cover costs for such transportation provided by the School and Chisago County agree to share the costs of the transportation. This agreement outlines the developed agreement about shared costs of transporting youth in foster care to and from school.

NOW, THEREFORE, in consideration of the mutual terms and conditions contained herein, it is agreed by and between the parties hereto as follows:

1. TERM:

This Agreement shall commence on the date it is fully executed by the parties and shall continue until terminated by either party per section 9.

2. EDUCATIONAL PLACEMENT DECISIONS:

Chisago County is responsible for determining appropriate education placement and the presumption should be that the child will remain in the school of origin to provide school stability and educational continuity for the child, unless contrary to the child's best interests. Chisago County and/or representative of the school in which the child is currently enrolled will work with the Chisago County foster care contact to determine, based on the child's best interest, whether the child should remain in the school of origin or consider a transfer to the local zoned school for the child's new residence.

If Chisago County is considering moving a child to a new educational placement, Chisago County will have a phone consultation with the school contact prior to gathering input about the best interests

of the child in relation to their school placement. The school will provide information about the appropriateness of the child's current educational placement. Chisago County shall take into consideration this information and other best interest factors found in paragraph three in making an educational decision. The Director of Student Support Services and/or a representative of the school in which the child is enrolled will be asked to participate in the meeting, either by phone or in person. Chisago County will identify a point of contact from the agency to work directly with the Director of Student Support Services to ensure a smooth transition.

3. BEST INTEREST FACTORS:

When considering placement the following best interest factors should be considered:

- The student's age
- The school attended by the student's siblings
- Length of time student is expected to remain at the current placement and the possible location of housing intended to be long-term
- Distance of commute and the impact it may have on the student's education and other student-centered, transportation-related factors, including travel time
- The preferences of the student, the birth parents or prior custodians as appropriate, and the students foster care parent(s) or current placement provider
- School stability and educational continuity
- Time remaining in the academic year
- Personal safety, attendance, academic progress and social involvement of the students in the current school
- The impact transferring the student to a new school may have on his or her needs and progress academically, emotionally, socially and physically
- Availability of classes to avoid credit loss and for timely graduation or promotion
- Documentation of the best interest determination shall be maintained in the Chisago County case file and student's cumulative record.

4. SERVICES

Transportation Services will be provided by the School in the following manner:

- a. Students who are able to be transported to school on an existing route: When feasible, students placed in foster care will be transported to school on an existing bus route. Feasibility considerations will include the location, length of bus ride, space available on the route and availability of any needed accommodations. School will cover the associated costs.
- b. Students who have an IEP indicating the need for specialized transportation: If students are residing and attending school within the School's district, the School will assume costs required for transporting the student to school.

- c. Students who are unable to be transported on an existing route: If a route does not exist or is not a feasible option for the student placed in foster care, the School will negotiate with Chisago County to determine the best possible means of transportation. The School and Chisago County will share the transportation costs identified in Section 5a.
- d. Students residing in a foster care placement outside of School's boundaries, but attending the School: If students are residing in a foster care placement outside of School boundaries, but are attending the School, transportation will be arranged by the School. The School will negotiate with Chisago County to determine the best possible means of transportation and discuss transportation within a reasonable distance (50 mile radius). The School and Chisago County will share the transportation costs identified in Section 5a.
- e. Students placed in foster care within the School boundaries and attending a different School: The School will bear no financial responsibility for this student. Chisago County and the School District where the student attends are expected to make arrangements for transportation and the associated costs.

5. PAYMENT FOR SERVICES:

- a. The District and Chisago County agree to split the costs of the transportation described in Section 4 (c&d), including but not limited to staff time and third party carriers as appropriate. Mileage reimbursement is to be set at the current IRS rate. All transportation costs identified in this agreement are to be split equally; the School and the Chisago County agree to each assume payment of 50% of the costs.
- b. Chisago County will identify a point of contact from the agency to work directly with the Director of Student Support Services to ensure transportation arrangements are timely and authentic. All transportation requests are to be requested by the Chisago County point of contact to be honored.
- c. Transportation services will be provided by the School and its contracted transportation providers, when possible. If due to driver or vehicle unavailability, Chisago County will be responsible for transportation of the student placed in foster care.
- d. The School will submit itemized invoices to the Chisago County contact on a quarterly basis. The invoices will detail each trip provided by the School, the total time for each trip and the associated charge. Payment shall be made within 35 days of receipt of the invoice.
- e. In situations where transportation is being funded by Chisago County, Chisago County will submit itemized invoices to the School point of contact on a quarterly basis. The invoices will detail each trip provided by Chisago County, the total time for each trip and the associated charge. Payment shall be made within 35 days of receipt of the invoice. Chisago County's point of contact will notify the Director of Student Support Services when foster care placements end.

6. DISPUTE RESOLUTION:

It is the responsibility of Chisago County and the School to collaborate in determining the child's best interest for school transportation and to resolve any conflicts. Whenever possible, the parties will attempt to informally resolve any dispute involving the best means and costs of transportation of a child in foster care.

Chisago County and the School will pursue the formal dispute resolution procedures below when informal resolution is not possible, or when informal resolution would result in disruptions to the child's education.

To formally dispute a decision regarding transportation for a student in foster care the following steps should be taken:

1. The process for resolution between the two parties requires a written explanation of the conflict from the disputing party within 24 hours.
2. Upon receipt of the explanation, the decision be reviewed by the School and the Director of Chisago County Family Services. Input will be reviewed from all parties and a decision by the Director will be communicated within three business days. A decision could be made to uphold the decision, reverse the decision or require the parties to participate in a Conflict Resolution Decision Making Team meeting.
3. County will determine the placement of the child until the dispute resolution process has concluded. During this time the transportation costs will be divided equally between the School and Chisago County.
4. If disagreement on school transportation remains, guidance from the Minnesota Department of Education will be requested.

7. PROVIDER NOT AN EMPLOYEE:

It is agreed by the parties that at all times and for all purposes herein, School and its subcontractors are independent providers and not employees of Chisago County. No statement contained in this Agreement shall be construed so as to find the School shall be entitled to none of the rights, privileges, or benefits of Chisago County employees except as otherwise stated herein.

8. INDEMNIFICATION:

Each party shall be liable for its own acts and the acts of its representatives to the extent provided by law and hereby agrees to indemnify, hold harmless, and defend each other, its officers, employees and volunteers against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the others, its officers, employees and volunteers may hereinafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the Party, its agents, employees or volunteers, in the execution, performance, or failure to adequately perform its obligation pursuant to this Agreement.

9. TERMINATION OF CONTRACT:

Either party may terminate this Agreement, with or without cause, upon a thirty (30) days written notice to the other party.

10. INSURANCE:

Each Party Agrees to maintain insurance coverage to protect it from claims for damages for bodily injury, including sickness or disease, death and for care and loss of service as well as from claims for property damage. The School agrees to ensure that any subcontractor providing services for the School under this Agreement will maintain insurance to protect the subcontractor in the event of a claim or suit filed related to this Agreement. Insurance coverage for each shall maintain general liability insurance coverage of minimum limits of \$500,000 per claim and \$1,500,000 per occurrence. Coverage greater than these limits shall not constitute a waiver of the County's liability cap under the Minnesota Tort Claims Act, Minn. Stat. §466

The Parties certify that they are in compliance with Minnesota's Worker Compensation Act, Minn. Stat. §176.181. Any claims that may arise under the Minn. Workers Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the County's obligation or responsibility.

11. AUTHORIZED REPRESENTATIVE AND POINT OF CONTACT:

All official notifications for management of this Agreement, including for cancellation of the Agreement, must be sent to the other Party's Authorized Representative:

County's Authorized Representative:

Robert Benson (or their successor or designee)
Director of Chisago County Health and Human Services
313 North Main Street,
Center City, MN 55012
(651)213-5600
robert.benson@chisagocounty.us

Phoenix School's Authorized Representative:

James Gagner, Principal and Executive Director
38460 Lincoln Trail, Suite 1
North Branch, MN 55056
Ph: (651)237-0656; Fax: (651)237-0659
James.gagner@pkacademy.org

County Point of Contact
Chris Johnson (or their successor or designee)
Children's Services Supervisor
313 North Main St.
Center City, MN 55012
(651)213-5663
Chris.Johnson@chisagocounty.us

12. STANDARDS and GOVERNING LAW:

The District and Chisago County shall comply with all federal, state, and local statutes and regulations as well as local ordinances and rules now in effect or hereafter adopted. The absence of an immediate enforcement action, or delay in the commencement of remedial steps to address non-compliance, shall not be construed as a waiver of the requirements, nor shall it prohibit later enforcement or action to terminate the agreement by the non-offending party. Venue for all legal proceedings out of actions or inactions under this Agreement must be in the appropriate state or federal court with competent jurisdiction for Chisago County, Minnesota

13. DATA PRACTICES:

All data collected, created, received, maintained, or disseminated for any purposes by the activities of the District or Chisago County because of this contract is governed by the Minnesota Government Data Practices Act, Minnesota Chapter 13, as amended, the Minnesota Rules implementing such act now in force or as adopted, as well as federal regulations on data privacy. Specifically, the Parties agree comply with all regulations governing data collected, created, received or retained including the retention, maintenance and destruction of data per the federal Health Information Portability and 45 CFR §155.1210 and Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.

14. AUDITS:

Any books, records, documents, and account procedures and practices of the District relevant to this Agreement shall be subject to examination by the County and any State Auditor, Legislative Auditor, or agents thereof. The School shall keep and maintain such financial records for a minimum of six (6) years from the last date of service under this Agreement pursuant to Minn. Stat. §16C.05.

15. AMENDMENTS:

This agreement may be supplemented, amended or revised only in writing by agreement of the Parties who executed this agreement or their successors.

THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

SCHOOL: SCHOOL certifies that the appropriate person(s) have executed the contract on behalf of SCHOOL as required by applicable articles, by-laws, resolutions, or ordinances.

PHOENIX ACADEMY OF ART AND SCIENCE SCHOOLS:

James Gagner
Principal and Executive Director

Date

CHISAGO COUNTY:

BY: _____
Rick Greene, Chair
Chisago County Board of Commissioners

Date

Attest: _____
Chase Burnham
County Administrator

Date

BY: _____
Robert Benson
Director, Health and Human Services

Date

Reviewed as to Form:

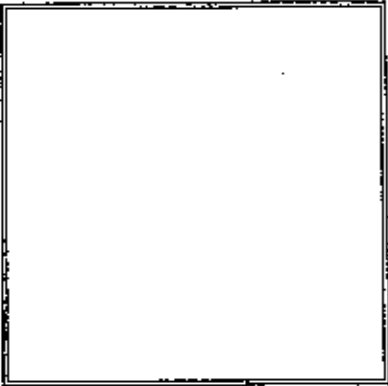
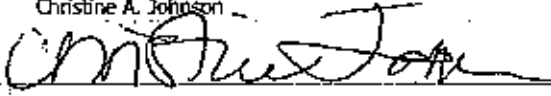
Janet Reiter
Chisago County Attorney

Date

Chisago County Request for Board Action

Meeting Date: October 19, 2022	Item Number: 14
Title of Item for Consideration: Out of State Travel Request – Monthly Client Visit to Connecticut	
Action Requested by: Robert Benson, Director	Department: Health and Human Services
Previous Action on this Matter: Prior approved travel requests to see clients in residential placements.	
Background: Chisago County has custody of a client that will need to be visited at a specialized residential treatment center in Connecticut. Health & Human Services is requesting approval of \$980.00 in travel expenses for Kim Booker (SW Child Services/ Child Protection), Kim Booker will visit the client from November 30th – December 1st, 2022. These dates allow the Social worker to visit the client. Attachment(s): Out of State Travel to CT request form – Kim Booker	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board of Commissioners approve the Out-of-State Travel Request for Kim Booker to travel to Connecticut to provide Child protective services to a client that is residing in a specialized facility there. The suggested motion is as follows: <i>“Move to approve the Out-of-State Travel Request for Kim Booker to travel to Connecticut to provide Child protective services to a client that is residing in a specialized facility.”</i>	
Implications of Action: By visiting this client, we are fulfilling our mandated obligation of ensuring safety and well-being for clients who are receiving Child protective services. Budget/Financial Implications: The out of state travel will be paid with Budgeted Levy Dollars Legal/Policy Implications: The proposed activities are in general conformity with applicable state statutes and County authority and policies.	
Administrator's Recommendation	
Approve	Deny _____
Other _____	
Motion By:	Seconded by:
To:	
Action on Motion:	Aye _____
	Nay _____
	Abstain _____

Chisago County Out-of-State Travel Request

Date Submitted	10/7/2022	
Employee Name	Kim Booker	
Department	Health and Human Services	
Destination	Connecticut	
Purpose of Travel	Monthly contact for Client in the custody of Chisago County placed in Residential Treatment Center//provide	
Departure Date	30-Nov-22	
Return Date	1-Dec-22	
Total Travel Expenses		
Supervisor Name (PRINT)	Christine A. Johnson	
Supervisor's Signature		
County Board Signature		Date Approved 10/7/2022
		Date Approved

Anticipated Expenses

Type of Expense	Description of Expense	Daily Expenses (Except Airfare)	# of Days	Total Expenses
Airfare	Tickets for SW			\$550.00
Ground Transportation	Car rental/ parking		1	\$125.00
Conference/Registration Fees			1	\$0.00
Lodging			1	\$180.00
Meals			1	\$75.00
Mileage			1	\$50.00
		Grand Total		\$980.00

Chisago County Request for Board Action

Meeting Date: October 19, 2022	Item Number: 15
Title of Item for Consideration: SHIP Grant Agreement – Lakeside Elementary	
Action Requested by: Robert Benson, Director	Department: Health & Human Services
Previous Action on this Matter: None.	
Background: Chisago County Health & Human Services has been awarded funding from the Minnesota Department of Health to work with communities, schools, healthcare and worksites to promote policy, system and environmental changes with a focus on improving nutrition, increasing physical activity and decreasing tobacco use and exposure. Grants will be awarded to various approved grant applicants to assist them in these efforts. Grantees are required to provide a minimum of 10% in-kind matching funds toward the completion of their project as a condition of grant acceptance. Attachment(s): SHIP Grant Agreement – Lakeside Elementary	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board of Commissioners approve the SHIP grant agreement – Lakeside Elementary. The following motion is suggested: <i>“Move to approve the SHIP Grant Agreement – Lakeside Elementary.”</i>	
Implications of Action: Approval of this Ship grant agreement will allow Lakeside Elementary to purchase sensory options. “go bags” will be made so that other departments such as music and PE will have them, also high needs students will use them as needed in their classrooms. Budget/Financial Implications: The budget will be fulfilled by State grant funding, from the Statewide Health Improvement Funds (SHIP) in the amount of \$500.00. Legal/Policy Implications: The Proposed activities are in compliance with all applicable state and federal regulations and County policies and procedures. The County Attorney has approved as to form.	
Administrator’s Recommendation	
Approve	Deny _____
Other _____	
Motion By:	Seconded by:
To:	
Action on Motion:	Aye _____ Nay _____ Abstain _____

**County of Chisago
State Health Improvement Program Grant Program
Grant Agreement**

This Grant Agreement is between Chisago County Community Health Board, 313 No. Main Street, Center City, MN 55012 ("County") and Lakeside Elementary, 29678 Karmel AVE, Lindstrom, MN 55045 ("Grantee").

Recitals

WHEREAS, the County administers the local implementation of the State of Minnesota State Health Improvement Program ("SHIP") and is empowered to enter into this Grant Agreement; and

WHEREAS, Lakeside Elementary applied to County for a SHIP Grant in order to purchase additional sensory options for the school, sensory "go bags" will also be purchased so that the sensory items can be kept in other areas such as the music area and PE, high need students will also have the go bags available in their classrooms; and

WHEREAS, after reviewing the full proposal and all supplemental documentation submitted by the Grantee, it was found that the application satisfied the requirements of Minn. Stat. § 145.986 and 168.98; and

WHEREAS, the Grantee has been approved for a Grant in an amount not to exceed **Five Hundred Dollars (\$500.00)**; and

WHEREAS, the Grantee represents that it is duly qualified and agrees to perform all services described in this Grant Agreement to the satisfaction of the County.

NOW THEREFORE, the County and Lakeside Elementary enter into this Grant Agreement (Agreement) and agree as follows:

1. TERMS OF AGREEMENT.

- 1.1. **Effective Date:** October 20, 2022 or the date the County obtains all required signatures, **whichever is later.** The Grantee must not begin work under this Agreement until the Agreement is fully executed and the Grantee has been notified by the County's Authorized Representative to begin work.
- 1.2. **Expiration Date:** October 31, 2023, or until all obligations have been satisfactorily fulfilled, **whichever occurs first.**
- 1.3. **Survival of Terms:** The following Parts shall survive the expiration or cancellation of this Agreement: Governing Law, Jurisdiction, and Venue; Publicity and Endorsement; State Audits; Indemnification; Government Data Practices and Intellectual Property; and Data Disclosure.

2. GRANTEE'S DUTIES.

Grantee, who is not a County employee, is **obligated** and expressly agrees to undertake and complete the Project as described in Grantee's Application and supplements and correspondence related thereto (on file at the County and incorporated into this Agreement by reference) and in accordance with the requirements of this Agreement. Grantee shall make no changes in the tasks

or schedules set forth without the written consent of the County, as provided in Paragraph 12, Amendments, of this Agreement, as applicable.

3. TIME

The Grantee must comply with all the time requirements described in this Agreement. In the performance of this Agreement, time is of the essence.

4. AUTHORIZED REPRESENTATIVES

For purposes of administering this Agreement, the County's Authorized Representative is:

Name: Courtney Wehrenberg
Title: Community Health Services Administrator
Address: 6133 402nd St., North Branch, MN 55056
Phone: 651-213-5215
Fax: 651-213-5401
Email: Courtney.Wehrenberg@chisagocounty.us

and the Grantee's Authorized Representative is:

Name: Sara Johnson
Address: 29678 Karmel AVE, Lindstrom, MN 55045
Phone: 651-213-2300
Email: smjohnson@isd2144.org

To the extent possible, communication between the parties shall be made through the authorized representatives. The parties may substitute authorized representatives, as necessary, by written notification to each other.

5. ASSIGNMENT, WAIVER, AND AGREEMENT COMPLETE

5.1. **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this Agreement without the prior consent of the County and a fully executed Assignment Agreement, executed and approved by the same parties, or their successors in office, who approved and executed this Agreement.

5.2. **Waiver.** If the County fails to enforce any provision of this Agreement, that failure does not waive the provision or the right to enforce it.

5.3. **Agreement Complete.** This Agreement contains all negotiations and agreements between the County and the Grantee. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

6. CHANGES IN OWNERSHIP AND CONTROL

This Agreement shall be binding on the County, its successors and assigns, and on the Grantee, its successors and assigns. In the event that the Grantee becomes aware that there will be a change in its ownership or control, the Grantee shall promptly notify the County's Authorized Representative, in writing, of the change.

7. AUTHORITY TO CONTRACT

Grantee is NOT authorized to enter into agreements needed to complete the work specified in this Agreement without the prior written consent of County, which shall not be withheld unreasonably.

8. PROJECT FUNDING AND DISBURSEMENTS

- 8.1. **Total Obligation.** The total obligation of the County for all compensation to the Grantee under this Agreement will not exceed **Five Hundred Dollars (\$500.00)**.
- 8.2. **Condition of Payment.** All services provided by the Grantee under this Agreement must be performed to the County's satisfaction, as determined at the sole discretion of the County Authorized Representative.
- 8.3. **Disbursements** shall not be construed as a waiver by the County of any authority it may have to remedy Grantee's noncompliance with this Agreement.
- 8.4. **Grantee Commitment of Financing.** Grantee shall provide in-kind matching funds necessary for the completion of the Project of not less than ten percent (10%) of the total grant disbursement.

9. USE OF GRANT FUNDS

Grantee shall use Grant funds solely for eligible costs as identified in Grantee's Application and as incurred within the term of this Agreement.

10. COMPLIANCE WITH THE LAW

The Grantee shall conduct the Project in compliance with all applicable provisions of federal, state, and local laws and obtain all federal, state and local permits, licenses and authorizations necessary to implement and operate the Project.

11. REPORTING REQUIREMENTS

All reporting must be provided to the County's Authorized Representative.

- 11.1. **Upon project completion,** grantee agrees to submit a short written success story with photo that outlines how the funds supported the efforts of their project.
- 11.2. **Treatment of Data.** All data (information) related to this Project and Agreement that is maintained by the County is public unless the Minnesota Data Practices Act, Minn. Stat. Ch.13, or other applicable state or federal law provides otherwise. Grantee shall use its best efforts to provide all information required to be submitted to County in a form which can be released as public information. Grantee shall use its best efforts to prepare reports and other information without disclosing trade secret or sales information. If Grantee determines that it must disclose trade secret or sales information and Grantee wishes to keep that information from being subject to disclosure under the law, Grantee shall do the following:
 1. In its report, Grantee shall segregate all information Grantee believes to not be subject to disclosure under the law from all other information.
 2. Grantee shall submit a written request for the information to be treated as not subject to disclosure under the law, citing the reasons for such treatment. Grantee shall submit the request to the County at the same time it submits the report containing the information in question.

The County shall not consider a request to treat data as not subject to disclosure under the law unless it is made in accordance with the above two requirements. If a request is made in accordance with the above requirements, the County shall promptly determine whether the information qualifies for nonpublic or private data treatment. If the County determines that the

information may be treated as nonpublic or private data, the County shall use its best efforts to treat the information accordingly.

12. AMENDMENTS

Any amendments to this Agreement must be in writing and will not be effective until it has been approved and executed by the same parties, or their successors in office, who approved and executed the original Agreement.

13. FAILURE TO COMPLY

- 13.1. ***Suspension or Termination.*** Failure of Grantee to comply with the terms and conditions of this Agreement shall constitute default under the terms of this Agreement unless the County agrees to an amendment under Part 12. Upon default, the County may immediately suspend or terminate the Agreement. Upon receipt of written notice of suspension or termination, Grantee shall immediately cease any expenditure of Grant funds and immediately cease incurring any expenditure for which Grant funds would be requested. Grantee shall return, upon demand, all unspent Grant funds disbursed by the County.
- 13.2. ***Repayment of Funds.*** If the County finds that the default is based on a serious breach of the terms and conditions of this Agreement such as substantial nonperformance of the Project, fraud, theft of funds, or gross negligence in the use of funds, the Grantee shall repay, upon demand, the Grant in full. Upon termination, the Grantee shall summarize in a written report the work completed prior to termination. In addition to termination, the County reserves the right to exercise all other available remedies.
- 13.3. ***Notice of Default.*** In the event of default, the County shall send a written notice to Grantee describing Grantee's failure to comply with the terms and conditions of this Agreement. At the County's election, Grantee may be provided an opportunity to correct the default of not less than seven (7) nor more than thirty (30) days. If no response is received by the County within the applicable time period or, if Grantee shall fail to satisfactorily correct the default, the County may immediately terminate the Agreement.
- 13.4. ***Response to Notice of Default.*** The County may agree to amend the terms and conditions of this Agreement if the Grantee submits a written response supported by documentation that establishes that an amendment is justified.

14. TERMINATION

The County may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding sources, or if funding cannot be continued at a level sufficient to allow for the payments provided herein. Termination must be by written notice to the Grantee. The County is not obligated to pay for any costs of the Project that are incurred after the notice and effective date of termination. The County will not be assessed any penalty if the Agreement is terminated because of the decision of the Minnesota Legislature, or other funding sources, to not appropriate funds. The County must provide the Grantee notice of the lack of funding within a reasonable time of the County's receiving that notice.

15. WORKERS' COMPENSATION

The Grantee certifies that it is in compliance with Minn. Stat. § 176.181, Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered County employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the County's obligation or responsibility.

16. PUBLICITY AND ENDORSEMENT

Any publicity regarding the subject matter of this Agreement must identify the Minnesota Department of Health and the County as a funding source and must not be released without prior written approval from the County's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Agreement. The Grantee must not claim that the Minnesota Department of Health and the County endorses its products or services.

17. HUMAN RIGHTS, EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION

The Grantee, in the conduct of the Project, shall comply with all applicable state and federal laws relating to nondiscrimination, affirmative action, and equal opportunity, now or hereafter enacted and any amendments thereto, including, but not limited to, Minnesota Statutes Ch. 363 (the Minnesota Human Rights Act), Minn. Stat. § 181.59 (applicable to Agreements for materials, supplies, and construction for or on behalf of the State), and the Americans with Disabilities Act of 1990 (P.L. 100-336).

18. LIABILITY

The Grantee must indemnify, save, and hold the County, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the County, arising from the performance of this Grant Agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the County's failure to fulfill its obligations under this Grant Agreement.

19. INSURANCE

21.1 Grantee is required to maintain general liability and automobile (if a vehicle is used in performing the duties under the contract) insurance minimum limits in the amount of \$1,000,000 protecting it from claims for damages for bodily injury, including sickness or disease, death, and for care and loss of services as well as from claims for property damage, including loss of use which may arise from operations under the Contract whether the operations are by the Grantee or by a subcontractor or by anyone directly or indirectly employed by the Grantee under the Contract.

21.2 Insurance coverage by the Grantee in amounts greater than the tort liability limits set for municipal corporations, pursuant to Minn. Stat. 466 shall not constitute a waiver of the liability cap(s) available to the County.

20. GOVERNMENT DATA PRACTICES AND INTELLECTUAL PROPERTY

20.1. **Government Data Practices.** The Grantee agrees to comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the County in accordance with this Agreement and as it applies to all data created, collected, received, stored, used, maintained or disseminated by Grantee in accordance with this Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this Part by either the Grantee or the County. In the event the Grantee receives a request to release the data referred to in this Part, the Grantee must immediately notify the County.

The County will give the Grantee instructions concerning the release of the data to the requesting party before the data is released.

20.2. Intellectual Property.

20.2.1. Grantee shall own all rights, title and interest in all of the materials conceived or created by the Grantee, or its employees or subcontractors, either individually or jointly with others and which arise out of the performance of this contract, created and paid for under this contract, including any inventions, reports, studies, designs, drawings, specifications, notes, documents, software and documentation, computer based training modules, electronically, magnetically or digitally recorded material, and other work in whatever form (hereinafter MATERIALS).

20.2.2. Grantee represents and warrants that MATERIALS produced or used under this contract do not and will not infringe upon any intellectual property rights of another, including, but not limited to, patents, copyrights, trade secrets, trade names, and service marks and names. The Grantee shall indemnify and defend, to the extent permitted by the Attorney General, County at the Grantee's expense from any action or claim brought against County to the extent that it is based on a claim that all or part of the MATERIALS infringe upon the intellectual property rights of another. The Grantee shall be responsible for payment of any and all such claims, demands, obligations, liabilities, costs and damages, including, but not limited to, reasonable attorney fees arising out of this contract, amendments and supplements thereto, which are attributable to such claims or actions.

21. ANTITRUST

The Grantee hereby assigns to the County any and all claims for overcharges as to goods or services provided in connection with this contract resulting from antitrust violations which arise under the antitrust laws of the United States or the antitrust laws of the State of Minnesota.

22. JURISDICTION AND VENUE

This contract, and amendments and supplements thereto, shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this contract, or breach thereof, shall be in the state or federal court with competent jurisdiction in Chisago County, Minnesota.

23. STATE AUDITS

The books, records, documents, and accounting procedures and practices of the Grantee relevant to this contract shall be subject to examination by County and the Legislative Auditor for a minimum of six (6) years from the end of the contract. In addition, the Grantee shall permit representatives of the County to visit the site of the Project during regular business hours to review the status of the Project and verify expenditures made under this Agreement.

24. SUBCONTRACTING

Grantee shall not enter into any subcontract for performance of any services contemplated under this agreement. If specifically authorized by the County, Grantee is responsible for the performance of all subcontractors and shall compensate said subcontractors pursuant to the requirements of Minnesota Statute § 471.425.

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

APPROVED:

1. GRANTEE

Grantee certifies that the appropriate person(s) have executed the contract on behalf of Grantee as required by applicable articles, by-laws, resolutions, or ordinances.

By:
Title: Sara Johnson
Date:

2. COUNTY OF CHISAGO

APPROVED:

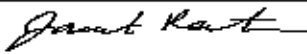
By:
Title: Rick Greene, Chair, Chisago County Board of Commissioners
Date:

CERTIFIED:

By:
Title: Chase Burnham, County Administrator
Date:

By:
Title: Robert Benson, Director, Chisago County Health & Human Services
Date:

AS TO FORM:

By: 
Title: Janet Reiter, Chisago County Attorney
Date: 10/12/2022

Chisago County Request For Board Action

Meeting Date: October 19, 2022	Item Number: 16
Title of Item for Consideration: Minnesota Towards Zero Deaths Grant 2023	
Action Requested by: Sheriff Brandon Thyen	Department: Sheriff's Office
Previous Action on this Matter: None.	
Background: 2023 Towards Zero Deaths (TZD) Enforcement grant. Funds to be used by Chisago County Law Enforcement to enforce laws on local roadways. The Minnesota Department of Public Safety (DPS) and The National Highway Traffic Safety Administration (NHTSA) are mandated to promote safety to those who use public roadways. The DPS and NHTSA seek to support traffic safety interventions that have been proven to reduce deaths and severe injury crashes caused by motor vehicle crashes. The DPS and NHTSA have awarded Chisago County the grant to assist with the enforcement and education portions of this mission. Chisago County has been awarded \$70,750.00 for 2023 enforcement. Attachment(s): 2023 Enforcement Grant Agreement and 2023 Budget Summary	
Action Requested/Recommended: It is respectfully requested that the Chisago County Board of Commissioners approve the acceptance of the 2023 Towards Zero Deaths Enforcement Grant. The suggested motion is as follows: <i>“Move to approve the Minnesota Office of Traffic Safety 2023 Towards Zero Deaths Enforcement Grant.”</i>	
Implications of Action: Acceptance of this grant will assist in law enforcements involvement with keeping Chisago County roadways a safer place to travel. Budget/Financial Implications: This is an externally funded grant through the Minnesota Department of Public Safety (DPS) and The National Highway Traffic Safety Administration (NHTSA) that has awarded money to Chisago County specifically for traffic enforcement. Chisago County has been awarded \$70,750.00 for the 2023 enforcement grant. Legal/Policy Implications: The proposed activities are in compliance with all applicable state and federal regulations and County policies & procedures. The County Attorney has approved as to form.	
Administrator's Recommendation	
Approve	Deny _____
Other _____	
Motion By:	Seconded by:
To:	
Action on Motion:	Aye _____
	Nay _____
	Abstain _____



Minnesota Department of Public Safety ("State") Office of Traffic Safety 445 Minnesota Street, Suite 1620 Saint Paul, Minn., 55101	Grant Program: 2023 Enforcement Grant Contract Agreement No.: A-ENFRC23-2023-CHISAGSO-024
Grantee: Chisago County Sheriff's Office 15230 Per Road Center City, Minn., 55012-9663	Grant Contract Agreement Term: Effective Date: October 1, 2022 Expiration Date: September 30, 2023
Grantee's Authorized Representative: Sergeant Kyle Puelston Chisago County Sheriff's Office 15230 Per Road Center City, Minn., 55012-9663 Phone: (651) 325-6021 Email: kyle.puelston@chisagocounty.us	Grant Contract Agreement Amount: Original Agreement \$ 70,750.00 Matching Requirement \$ 0.00
State's Authorized Representative: Shannon Grabow 445 Minnesota Street, Suite 1620 Saint Paul, Minn., 55101 Phone: (651) 201-7063 Email: shannon.grabow@state.mn.us	Federal Funding: CFDA 20.600, 20.608 & 20.616 FAIN: 69A37521300004020MN0, 69A37522300001640MNA & 69A3752130000405BMNH State Funding: N/A Special Conditions: None

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant contract agreement.

Term: The creation and validity of this grant contract agreement conforms with Minn. Stat. § 16B.98 Subd. 5. Effective date is the date shown above or the date the State obtains all required signatures under Minn. Stat. § 16B.98, subd. 7, whichever is later. Once this grant contract agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant contract agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant contract agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a state employee will:

Perform and accomplish such purposes and activities as specified herein and in the Grantee's approved 2023 Enforcement Application ("Application") which is incorporated by reference into this grant contract agreement and on file with the State at 445 Minnesota Street, Suite 1620, Saint Paul, Minnesota 55101. The Grantee shall also comply with all requirements referenced in the 2023 Enforcement Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (<https://app.dps.mn.gov/EGrants>), which are incorporated by reference into this grant contract agreement.

Budget Revisions: The breakdown of costs of the Grantee's Budget is contained in Exhibit A, which is attached and incorporated into this grant contract agreement. As stated in the Grantee's Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee's Application, the Grantee certifies that the matching requirement will be met by the Grantee.

Payment: As stated in the Grantee's Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized

Budget Summary

Budget				
Budget Category		State Reimbursement	Local Match	
Dispatch/Admin-Other				
Dispatch/Admin - Other		\$3,100.00	\$0.00	
Total		\$3,100.00	\$0.00	
Dispatch/Admin-DWI				
Dispatch/Admin - DWI		\$1,100.00	\$0.00	
Total		\$1,100.00	\$0.00	
Enforcement-Distracted				
Enforcement - Distracted		\$14,000.00	\$0.00	
Total		\$14,000.00	\$0.00	
Enforcement-Seat Belt				
Enforcement - Seat Belt		\$8,600.00	\$0.00	
Total		\$8,600.00	\$0.00	
Enforcement-DWI				
Enforcement - DWI		\$27,500.00	\$0.00	
Total		\$27,500.00	\$0.00	
Enforcement-Move Over				
Enforcement - Move Over		\$1,350.00	\$0.00	
Total		\$1,350.00	\$0.00	
Enforcement-Speed				
Enforcement - Speed		\$12,000.00	\$0.00	
Total		\$12,000.00	\$0.00	
Mileage Expenses				
Mileage Expenses		\$0.00	\$0.00	
Total		\$0.00	\$0.00	
Training/Meeting Match				
Training/Meeting Match		\$0.00	\$0.00	
Total		\$0.00	\$0.00	
T2D Conference Hotel Match				
T2D Conference Hotel Match		\$0.00	\$0.00	
Total		\$0.00	\$0.00	
Enforcement-Special Project				

Chisago County Government Center Front Door Court Security

Prohibited Items	2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Prohibited Items	Confiscated
Confiscations															
Sharp objects		33	32	53	41	66	47	37	49	50	0	0	0	408	
Guns, Firearms, Magazines		0	0	0	0	0	1	0	3	1	0	0	0	5	
Martial arts and self-defense items		0	0	0	0	0	0	0	0	0	0	0	0	0	
Tools & Sporting goods		5	4	9	7	7	5	5	7	6	0	0	0	55	
Chemicals and other Dangerous Items		2	0	3	5	4	6	0	4	3	0	0	0	27	
Total Prohibited Items		40	36	65	53	77	59	42	63	60	0	0	0	495	
Confiscated															
Bag count	317,678	1,337	1,122	1600	1930	2466	1806	1636	1992	1709				15,598	

Services Rendered	2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Services Rendered
Disturptive/Suspicious Persons Calls		0	0	1	2	1	1	0	0	1	0	0	0	6
Medical Assists		0	0	0	0	0	0	0	0	0	0	0	0	0
Officer/Deputy/Probation/911 Assist		0	0	0	1	0	0	0	0	5	0	0	0	6
Emotional Disturbed Persons		0	0	0	1	0	0	0	0	0	0	0	0	1
Handicap/Elderly Assists		4	2	1	1	13	1	0	0	8	0	0	0	30
Escorts to Motor Vehicle		0	0	0	0	0	0	0	0	0	0	0	0	0
Child Protection Referral		0	0	0	0	0	0	0	0	0	0	0	0	0
Parking Lot Security Inspection		0	5	12	13	13	15	13	0	11	0	0	0	82
Door and Fire Alarms		4	0	0	0	0	0	1	0	2	0	0	0	7
Misc. Services Rendered		1	2	0	0	0	1	6	0	0	0	0	0	10
Total Services Rendered		9	9	14	18	27	18	20	0	27	0	0	0	132

CORR.

NAME	NTC FINAL PAY 2022	NTC PROPOSED PAY 2023	REF MV FINAL PAY 2022	REF MV PROPOSED PAY 2023	
CHISAGO COUNTY	44,476,078	47,453,001	0	0	6.7%
LAKE IMPROVEMENT DISTRICT	309,654	327,520	0	0	5.8%
CENTER CITY CITY OF	323,000	341,860	0	0	5.8%
CHISAGO CITY CITY OF	3,190,829	3,506,703	0	0	9.9%
HARRIS CITY OF	610,500	670,483	0	0	9.8%
LINDSTROM CITY OF	2,756,705	3,047,006	0	0	10.5%
NORTH BRANCH CITY OF	5,073,949	5,378,324	0	0	6.0%
RUSH CITY CITY OF	734,702	821,007	0	0	11.7%
SHAFFER CITY OF	495,580	564,781	0	0	14.0%
STACY CITY OF	354,885	367,862	0	0	3.7%
TAYLORS FALLS CITY OF	689,900	692,635	0	0	0.4%
WYOMING CITY OF	4,800,724	5,266,962	0	0	9.7%
AMADOR TOWN OF	392,000	407,000	0	0	3.8%
CHISAGO LAKE TOWN OF	1,289,000	1,289,000	0	0	0.0%
FISH LAKE TOWN OF	997,600	1,022,000	0	0	2.4%
FRANCONIA TOWN OF	870,000	870,000	0	0	0.0%
LENT TOWN OF	1,155,000	1,215,000	0	0	5.2%
NESSEL TOWN OF	708,953	727,380	0	0	2.6%
RUSHSEBA TOWN OF	177,500	177,500	0	0	0.0%
SHAFFER TOWN OF	258,070	270,973	0	0	5.0%
SUNRISE TOWN OF	631,376	631,376	0	0	0.0%
IND SCHOOL DIST 0138	7,332,674	7,745,445	2,195,138	2,302,584	5.5%
IND SCHOOL DIST 0139	1,894,516	2,014,261	1,543,611	1,584,843	4.7%
COMMON SCH DIST 0323	7,350	7,877	74,183	71,372	-2.8%
IND SCHOOL DIST 2144	7,184,532	7,262,625	3,889,158	3,800,683	-0.1%
CHISAGO COUNTY HRA	470,000	470,000	0	0	0.0%
NORTH BRANCH EDA/HRA	357,870	388,126	0	0	8.5%