

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, December 07, 2022**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, December 07, 2022 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, Dunne, Montzka, Dahlberg. 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 Dunne, the motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

6:30 p.m. Oath of Office Administered to Commissioner Dan Dahlberg, District 5
County Auditor-Treasurer Bridgitte Konrad

On motion by Montzka, seconded by DuBose, the board moved to assign Commissioner Dahlberg to attend the Park Board meeting in December 2022. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the board moved to assign Commissioner Dahlberg to the Park Board Committee. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by DuBose, the board moved to open the Health and Human Services Committee of the Whole at 6:34 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **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 Greene, seconded by Dunne, the Board moved to add items 1-8 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by DuBose, seconded by Dahlberg, the board moved to close the HHS Committee Board of the Whole at 6:41 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the Board moved to approve the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg. **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 – Adult Mental Health Grant – MN Dept. of Health
- 4.) HHS Committee Recommendation – MOU with NB Public Schools for Baby Café 2023
- 5.) HHS Committee Recommendation – Children's Mental Health Screening Grant 2023
- 6.) HHS Committee Recommendation – Out of State Travel Request – Client Visit to Conn.
- 7.) HHS Committee Recommendation – CM Mental Health Center Detoxification Services
- 8.) HHS Committee Recommendation – Emergency Foster Care Contract with Hansens
- 9.) 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.
- 10.) Minutes from the November 16, 2022 Regular Meeting
- 11.) Advertising 2023 Citizen Committee Vacancies
- 12.) Budget Adjustment – OpenGov – License Agreement Purchase

On motion by DuBose, seconded by Montzka, the Board moved to approve the out of state travel request for County Engineer Joe Triplett to attend the 2022 Iowa County Engineer Association annual conference in Des Moines, Iowa, December 14-16, 2022. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the resolution of support for an Active Transportation Grant for the City of Lindstrom. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

RESOLUTION NO. 22/1207-1
A RESOLUTION OF SUPPORT FOR AN ACTIVE TRANSPORTATION
INFRASTRUCTURE GRANT

WHEREAS, the Minnesota Active Transportation Infrastructure Program provides grant funding for the construction of pedestrian and bicycle infrastructure projects, and

WHEREAS, the program, established by the Minnesota Legislature in 2017 (MN Statute 174.38) appropriates a total of \$3.5 million for infrastructure projects across the state with a minimum of \$50,000 and cap of \$500,000 for each project, and

WHEREAS, funds are intended to be used to reimburse construction costs on Active Transportation eligible items, and that construction costs above the Active Transportation grant award will need to have alternate funding sources, and

WHEREAS, non-state aid cities, townships, and registered non-profits (501(c)(3)) must have a state aid city or county sponsor, and

WHEREAS, the City of Lindstrom intends to improve a portion of the Swedish Immigrant Regional Trail along U.S. Highway 8 between Olinda Trail (County Road 25) and Elm Street and along Elm Street between U.S. Highway 8 and Newell Avenue and has submitted a Letter of Intent (LOI) for funding through the Active Transportation Infrastructure program, and

WHEREAS, the City of Lindstrom intends to submit a full application for Active Transportation Infrastructure program and requests sponsorship from Chisago County for the project, and

WHEREAS, the City of Lindstrom understands that it will be responsible for all costs not covered by Active Transportation grant including but not limited to consultant engineering, right-of-way acquisition, construction administration and inspection, utility construction, as well as construction costs above the Active Transportation grant award, and

WHEREAS, the City of Lindstrom has agreed to maintain such improvements for the lifetime of the improvements.

NOW THEREFORE, BE IT RESOLVED BY THE CHISAGO COUNTY BOARD, MINNESOTA:

1. Chisago County agrees to act as project sponsor for the project should the City of Lindstrom be awarded Active Transportation funds, and that such sponsorship shall include the following responsibilities:
 - a. Be the fiscal agent on behalf of the community and have funds flow from MnDOT to the city or county to the contractor.
 - b. Request SAP/SP number for the project.
 - c. Ensure the project meets milestones and dates.

- d. Assist the City of Lindstrom in execution of a grant agreement.
 - e. Review, approve and sign the construction plans
 - f. Assist the City of Lindstrom in submitting plans, engineers estimates, and proposal to the DSAE.
 - g. Submit pay requests to State Aid
 - h. Communicate progress and updates with the DSAEs and State Aid Programs Engineer
 - i. Ensure that the project receives adequate supervision and inspection
 - j. Assist with project close out.
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On motion by Dunne, seconded by DuBose, the Board moved to approve the County Road (CP) Paving Project CP 013-079-022 Final payment. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the purchase of a new survey equipment for Public Works. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

On motion by DuBose, seconded by Dunne, the Board moved to approve the Commercial Lease agreement with Arrowhead Transit (AEOA) for the Heartland Express North Branch facility (beginning January 1st, 2023. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dahlberg, seconded by DuBose, the Board moved to approve Resolution 22/1207-2, A Resolution of the County Board of Commissioners of Chisago County, Minnesota, Approving the Douglas Johnson DJ's Dream Final Plat at 1499 505th Street, Nessel Township, (PID #06.00500.00) and Moved to enact Ordinance No. 21/1207-1, An Ordinance of the County Board of Commissioners of Chisago County, Minnesota, Approving the Rezoning of Lot 1, Block 1 DJ's Dream from Rural Residential I (RR1) District to Agricultural (AG) District and authorizing summary publication. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

RESOLUTION NO. 22/1207-2

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY,
MINNESOTA, APPROVING THE FINAL PLAT OF DJ'S DREAM**

WHEREAS, Applicant Douglas Johnson, on behalf of property owners Raymond Johnson & Heide Johnson, Elden Johnson & Lynn Johnson, Steven Johnson & Bridget Johnson, Douglas Johnson, and Merrilee Johnson, submitted a request for the Final Plat of DJ's Dream on November 28, 2022; and

WHEREAS, the subject site is located at 1499 505th Street in Nessel Township; and

WHEREAS, the subject site is 14.04± acres in size and is legally described as:

PID 06.00500.00

That part of Government Lot 4, Section 22, Township 37, Range 22, Chisago County, Minnesota, which lies easterly and northeasterly of the township road, described in Book 88 of Deeds, page 5, in the office of the Chisago County Recorder, and northerly of the following described line:

Commencing at the southeasterly corner of Lot 8 of the recorded plat of WESTVIEW, Chisago County, Minnesota; thence on a plat bearing of North 5 degrees 15 minutes East along the wet line of Sunset Drive 288 feet to the north line of Lake Street in said plat; thence North 85 degrees 56 minutes 30 seconds East 69.93 feet; thence North 23 degrees 22 minutes West 365.16 feet; thence North 55 degrees 29 minutes 30 seconds East 271.88 feet to Point "A"; thence east, parallel with the north line of said Government Lot 4, a distance of 431.84 feet to the east line of said Government Lot 4 and the point of beginning of the line to be described; thence west, parallel with said north line, 431.84 feet to said point "A"; thence South 55 degrees 29 minutes 30 seconds West 280 feet, more or less, to the northeasterly line of the township road described in said Book 88 of Deeds, page 5, and said line there terminating.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

That part of Government Lot 4, Section 22, Township 37, Range 22, Chisago County, Minnesota, described as follows:

Commencing at the northwest corner of Lot 1, Block 1, BEES NEST, Chisago County, Minnesota; thence northeasterly along the northeasterly extension of the northwest line of said Lot 1, a distance of 60.58 feet to the northerly Right of Way of Bayside Avenue recorded in Book 88 of Deeds, page 5, in the office of the County Recorder, Chisago County, Minnesota, and the point of beginning of the property to be described; thence continuing northeasterly along said northeasterly extension a distance of 100.00 feet; thence deflecting to the right 99 degrees 16 minutes 20 seconds a distance of 145.00 feet; thence deflecting to the right 80 degrees 43 minutes 40 seconds a distance of 71.15 feet, more or less, to said northerly line of Bayside Avenue; thence northwesterly along said northerly line of Bayside Avenue to the point of beginning.

WHEREAS, the Preliminary Plat of DJ's Dream was recommended for approval by the Planning Commission on January 6, 2022 per Resolution No. PC2022-0102 and approved by the Board of Commissioners on January 19, 2022 per Resolution No. 22/0119-2; and

WHEREAS, the Final Plat as submitted on November 28, 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 DJ's Dream, subject to the following conditions:

1. The Final Plat is approved as submitted on November 28, 2022. Any deviation from the approved plat drawing shall require further review by the Planning Commission and approval by the County Board.
2. Approval and recording of the Final Plat shall allow for the Rezoning of proposed Lot 1, Block 1, DJ's Dream from Rural Residential I (RRI) District to Agricultural (AG) District, based on Board of Commissioners Resolution No. 22/0119-2; however, the Rezoning shall not become effective until and unless the Board of Commissioners adopts and publishes a separate ordinance for said Rezoning.
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.

On motion by Montzka, seconded by Dahlberg, the Board moved to move to Approve Resolution No. 22/1207-3, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, updating the Board of Commissioners delegated decision-making authority of the Wetland Conservation Act of 1991 to the Director of Environmental Services or their designee and approved Resolutions No. 22/1207-, Resolution of the County Board of Commissioners of Chisago County, Minnesota, updating acknowledgement of Chisago County acceptance of the authority and administrative responsibility to implement the Wetland Conservation Act of 1991 as the designated LGU for all lands within the unincorporated lands of the county and within the corporate boundaries of Center City, Chisago City, Harris, Lindstrom, North Branch, Rush City, Shafer, Stacy, and Taylors Falls” AND. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka, Dahlberg **OPPOSED:** None.

RESOLUTION NO. 22/1207-3
A RESOLUTION REGARDING THE ADMINISTRATION OF THE MINNESOTA
WETLAND CONSERVATION ACT

WHEREAS, In April 1992, Chisago County adopted the interim Wetland Program via resolution 92-21 accepting Wetland Conservation Act (WCA) administration; and

WHEREAS, in January 1994 the Board of Commissioners passed Resolution 940104-1 formally accepting responsibility as WCA Local Government unit (LGU) within the legal boundaries of Chisago County as of January 4, 1994; and

WHEREAS In March 2012, the Board of Commissioners passed resolution 12/0321-1 delegating decision-making authority of the WCA to the Wetland Specialist, Department of Environmental Services/Zoning or their designee; and

WHEREAS, Chisago County has now adopted Resolution 22/1207____ accepting and renewing its authority and administrative responsibility to implement the Wetland Conservation Act within the unincorporated lands of the county and within the incorporated legal boundaries of Center City, Chisago City, Harris, Lindstrom, North Branch, Rush City, Shafer, Stacy and Taylors Falls in accordance with Minnesota Rules, Chapter 8420; and

WHEREAS, Chisago County is authorized by Minnesota Administrative Rules Part 8420.0200, Subpart 2, Item C, to delegate certain functions with regard to implementation of WCA, including the authority to make decisions on applications, with its staff.

NOW, THEREFORE BE IT RESOLVED by the Chisago County Board of Commissioners, that decision-making authority for WCA exemption, no-loss, wetland boundary and type, sequencing, replacement plan, and wetland banking applications is placed with the Chisago County Director of Environmental Services or their designee.

On motion by DuBose, seconded by Dunne, the Board moved to approve the 2023-24 Professional Technical Services Contract with the Chisago Soil and Water Conservation District. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Greene, Montzka,

Dahlberg **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.**

Truth in Taxation Hearing (7:00 p.m.)

Truth in Taxation Hearing

Public Comment: TIME – 7:17 p.m. END TIME – 8:15 p.m.

of SPEAKERS – 9

On motion by Montzka, seconded by Dunne, closed public comment at 8:45 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by DuBose, seconded by Dunne, the board moved to approve by Board Resolution the Chisago County 2023 Final Levy & Annual Budget, as presented at tonight's meeting; to include:

A 2023 County Levy of \$\$45,740,860

A 2023 County Expenditure of \$80,604,063

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

**RESOLUTION NO. 2/1207-5
ADOPTING THE CHISAGO COUNTY
BUDGET AND LEVY FOR 2023**

WHEREAS, pursuant to Minn. Stat. Sec. 275.065, the Truth in Taxation Public Hearing has been held at the Chisago County Government Center on December 7th, 2022 at 7:00 p.m. and closed at 8:15 p.m.; and

WHEREAS, pursuant to Minn. Stat. Sec. 275.065, the Chisago County Board of Commissioners must certify to the County Auditor the proposed tax levy for taxes; and

WHEREAS, pursuant to Minn. Stat. Sec. 275.07, the Chisago County Board of Commissioners must certify its levy on or before five working days after December 21, 2022; and; and

NOW BE IT RESOLVED, that the Chisago County Board of Commissioners have moved to adopt the recommended Gross Levy for 2023 of \$45,740,860 a 2.84% increase over the 2022 levy, with overall 2023 expenditures of \$80,604,063, a LID Levy of \$327,520, with overall 2023 expenditures of \$327,520;

NOW THEREFORE BE IT RESOLVED, that the Chisago County Board of Commissioners have moved to adopt the recommended 2023 Capital Improvement Plan of \$3,073,157;

NOW THEREFORE BE IT FURTHER RESOLVED, that the Chisago County Board of Commissioners hereby adopts its 2023 Annual Budget.

On motion by Montzka, seconded by Dunne, the Board moved to close the County Board meeting at 8:20 p.m. related to strategy for labor negotiations, including negotiation strategies , including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

Meetings of the Chisago County Board of Commissioners may be closed if the closure is expressly authorized by statute. Minn. Stat. §13D.03 subd. 1. The governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies , including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

On motion by DuBose, seconded by Montzka, the Board ended the closed meeting and reconvened the regular meeting at 8:45 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Montzka, the Board adjourned the meeting at 8:45 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

Richard Greene, Chair

Attest: _____
Christina Vollrath
Clerk of the Board