

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, April 05, 2023**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, April 05, 2023 at the Chisago County Government Center with the following Commissioners present: Swenson, Greene, Dunne, Montzka, Dahlberg. Also present: County Administrator Chase Burnham, Clerk of the Board Christina Vollrath, and County Attorney Janet Reiter.

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

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

On motion by Dunne, seconded by Dahlberg, the board moved to open the Health and Human Services Committee of the Whole at 6:31 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

Chair Montzka gave the gavel to Vice-Chair Dunne.

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

On motion by Greene, seconded by Montzka, the Board moved to add items 1-6 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Greene, seconded by Swenson, the board moved to close the HHS Committee Board of the Whole at 6:42 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dahlberg, seconded by Greene, the Board moved to approve the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, 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 – SHIP 176/177/178 Grant Agreements
- 4.) HHS Committee Recommendation – Out of State Travel – Monthly Client Visit to CT

- 5.) HHS Committee Recommendation – State of MN JPA for Farmer’s Market Nutrition Prog.
- 6.) HHS Committee Recommendation – Personnel Req. – Child Welfare Target Case Manager
- 7.) 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.
- 8.) Minutes from the March 15, 2023 Regular Meeting
- 9.) New Tobacco Licenses – Athens Trail Market and Emily Jo’s
- 10.) Temporary Liquor License Request – Chisago County Sheriff’s Foundation
- 11.) Acceptance of Donation – Planning Commission from HRA-EDA

RESOLUTION NO: 23/0405-1
ACCEPTANCE OF DONATIONS BY CHISAGO COUNTY

WHEREAS, the Chisago County Board of Commissioners adopted Resolution No. 060419-3 on April 19, 2006 which established a policy regarding the acceptance of gifts by Chisago County; and

WHEREAS, the County has received a donation from a business or private individual in Chisago County and is requesting formal acceptance by the County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that the Chisago County Board of Commissioners hereby accepts the following donations received by the Chisago County in 2023:

- \$1,000 for Planning Commission

- 12.) Classification and Appraisal of Tax Forfeited Land pursuant to MN Statute 282.01

RESOLUTION NO: 23/0405-2
CLASSIFICATION AND APPRAISAL OF TAX FORFEITED PROPERTY READY FOR SALE
COUNTY BOARD

WHEREAS, the tax parcels on the attached list have forfeited, to the State of Minnesota in trust for the respective taxing districts for nonpayment of real estate taxes;

WHEREAS, in order to be able to sell these parcels at tax sale the County Board of Commissioners need to classify and appraise the tax forfeited parcels pursuant to M.S. 282.01 Subdivision 1.

NOW, THEREFORE, BE IT RESOLVED

1. That the Chisago County Board of Commissioners approve the attached list of classification and appraisal of tax forfeited ready for sale and authorize the Chisago County Auditor-Treasurer to take the necessary steps to offer the parcels for sale pursuant to M.S. 282.01.
2. That the Chisago County Auditor-Treasurer is directed to forward the parcels noted on the attached Classification and Appraisal to the Minnesota DNR pursuant to M.S. 282.01, subd. 3.
3. That the Chisago County Auditor-Treasurer is directed to forward the parcels noted on the attached Classification and Appraisal to the appropriate city and township officials for approval pursuant to M.S. 282.01, subd. 1(h).

13.) Application for Exempt Permit – Almelund Threshing Show

RESOLUTION NO: 23/0405-3
APPROVING THE SUBMISSION OF AN APPLICATION TO CONDUCT A RAFFLE FOR THE
ALMELUND THRESHING SHOW

WHEREAS, the Chisago County Board of Commissioners has been presented with a request for lawful gambling within Chisago County; and

WHEREAS, the application was complete, included all necessary documentation, appears in accordance with County Policies and the facility owners are in good standing with the County;

BE IT RESOLVED that the Chisago County Board of Commissioners hereby approves and authorizes submission to the Minnesota Gambling Control Board an application to conduct a raffle at the Almelund Threshing Show, located at 17760 St. Croix Trail, Taylors Falls, MN 55084.

14.) Authorization for County Auditor-Treasurer to Proceed with Budget Adjustment Requests

15.) Revenue Recapture Service Level Agreement

2022 Medical Examiner Report – Dr. A. Quinn Strobl, County Medical Examiner

On motion by Greene, seconded by Dunne, the Board moved to accept the 2022 Medical Examiner Report. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Greene, the Board moved to approve the 2023 State of Minnesota Annual County Boat and Water Safety Grant as provided. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the Larkin and Associates Master Client Agreement. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Swenson, the Board moved to accept the 2022 Annual Report of Chisago County Parks and Trails Division of the Environmental Services Department. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

CITIZENS FORUM

TIME – 6:58 p.m. **END TIME** – 7:06 p.m.

0 letters, 0 emails, # **of SPEAKERS** - 4

Public Hearing – Liquor Ordinance and Fees – Bridgitte Konrad 7:07 p.m.

Open Public Hearing – 7:25 p.m.

of speakers: 0

Close Public Hearing – 7:25 p.m.

On motion by Dunne, seconded by Swenson, the Board moved to the adoption of fees for liquor related licenses. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

Greene moved to adopt the ordinance regulating possession, sale and consumption of intoxicating and 3.2 percent malt liquor within Chisago County, Minnesota and adopting the summary ordinance for publication. The motion failed due to lack of second.

On motion by Dunne, seconded by Dahlberg, the Board moved to adopt the ordinance regulating the possession, sale and consumption of intoxicating and 3.2 percent malt liquor within Chisago County, Minnesota with the consumption and display, and adopting the summary ordinance for publication, but to remove Section 13 A (2:00 a.m.). The motion **failed** as follows: **IN FAVOR THEREOF:** Dunne, Dahlberg **OPPOSED:** Swenson, Greene, Montzka.

On motion by Greene, seconded by Dunne, the Board moved to add supplemental correspondence to the record: Supplemental Correspondence – Carlson Lake Overlook Preliminary Plat dated April 4, 2023. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

Recess from 8:07 p.m. to 8:18 p.m. to review supplemental correspondence.

Greene moved to deny Resolution No. 23/0405-4 , a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Carlson Lake Overlook located at 162XX 280th Street in Franconia Township, (PID #04.00343.06). The motion **failed** due to lack of second.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve Resolution No. 23/0405-4, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Carlson Lake Overlook located at 162XX 280th Street in Franconia Township, (PID #04.00343.06) with Planning Commission findings.

Conditions:

1. The Preliminary Plat of Carlson Lake Overlook is approved per plat drawing dated signed December 29, 2022. Any significant deviation from the approved plat drawing, as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. This approval specifically allows the previously platted Outlot A, Carlson's Lake Estates to be replatted as Lots 1 and 2, Carlson Lake Overlook, with the express intention of creating two buildable lots.
3. Lot 2, Carlson Lake Overlook shall not be improved until and unless the easement encumbrance (Chisago County Recorder Document # A-554113) is resolved by the easement grantors and grantee. At time of building permit application, the applicant shall provide sufficient evidence, as determined by the Department of Environmental Services, demonstrating that the encumbrance has been resolved.
4. Approval of the Carlson Lake Overlook subdivision shall not invalidate the 2006 approval of Carlson's Lake Estates as a cluster development. Further, Lots 1 – 5, Block 1, Carlson's Lake

Estates shall be considered legal conforming lots of record and shall be afforded all rights due to legal conforming lots of record, and approval of the Carlson Lake Overlook subdivision shall not otherwise adversely limit or prohibit development of Lots 1 – 5, Block 1, Carlson's Lake Estates.

5. Verification of the submitted soils report and wetland delineation shall be completed by the Department of Environmental Services when ground conditions allow and shall be required prior to submission of request for Final Plat.
6. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
7. The applicant shall submit request for Final Plat within one year following approval of the Preliminary Plat unless an extension of time is requested by the applicant and granted by the County Board upon recommendation of the Planning Commission.

The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Dahlberg
OPPOSED: Greene, Montzka

On motion by Dahlberg, seconded by Greene, the Board moved to accept and approve the Fish Lake Park Master Plan as prepared and presented and approve Resolution No. 23/0405-5, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, supporting and approving the sponsorship of Fish Lake County Park as a Regional park in Greater Minnesota by the Greater Minnesota Parks and Trails Commission.

RESOLUTION NO. 23/0405-5: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, SUPPORTING REGIONAL PARK DESIGNATION APPLICATION IN GREATER MINNESOTA:

WHEREAS, Fish Lake County Park located at 43308 Elmcrest Avenue, Harris, MN is a highly valued 130+ acre Chisago County Park; and

WHEREAS, Chisago County endeavors to be the Lead Applicant in submitting Fish Lake County Park to the Greater Minnesota Regional Parks and Trails Commission for Regional Designation; and

WHEREAS, Chisago County, as lead applicant, has the authority to act as legal public sponsor for the application described in the Request for Designation as a Regional Park or Trail in Greater Minnesota;

WHEREAS that as lead applicant we are fully aware of the information provided in the application and associated responsibilities, including long-term commitments as defined in the application and related master plan and supporting information as submitted; and

WHEREAS, should *Fish Lake County Park* receive formal designation as a Regional park in Greater Minnesota by the GMRPT Commission, that as the lead applicant we have the legal authority to enter into formal designation and funding agreements with the Commission for the referenced park.

NOW THEREFORE, BE IT RESOLVED that as the lead listed applicant that the Chisago County Board of Commissioners hereby certifies our commitment to comply with all applicable laws and regulations associated with regional designation and any future grant funding for our respective portions of any Fish Lake Park project.

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

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the 2023 – 2024 Aquatic Invasive Species Treatment and Education Grant Application and Program Criteria for Lake Associations as presented at tonight’s meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the 2023 CLLID/Lake Association/DNR aquatic invasive weed control partnership program for a total program budget of \$30,000. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to approve the Fleet Technician personnel request. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Greene, seconded by Dahlberg, the Board moved to award and approve the 2023 Annual Pavement Marking Project to Sir Lines-A-Lot. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Greene, seconded by Dahlberg, the Board moved to award and approve the 2023 Seal Coat Project to ASTECH of St. Cloud. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to award and approve the County Road 70 Reconditioning Project to Winberg Companies of Shafer Township, MN. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dahlberg, seconded by Greene, the Board moved to award and approve the CSAH 40 Reconstruction Project to Knife River Corporation of Sauk Rapids, MN. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the 2023 Construction Testing Services Contract with Braun Intertec. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Dahlberg, seconded by Swenson, the Board moved to approve Chisago County Right-of-Way Plat No. 115.

RESOLUTION NO. 23/0405-6

A RESOLUTION FOR THE RIGHT OF WAY PLAT 115

BE IT RESOLVED, that the County Highway Engineer and County Surveyor are hereby authorized to prepare a plat for highway right of way acquisition for reconstruction and re-alignment of C.S.A.H. No 10, CP 13-610-12 located between the Isanti County line and C.S.A.H. No. 8 in Fish Lake Township, Minnesota. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

Chair Montzka gave the gavel to Vice-Chair Dunne.

On motion by Montzka, seconded by Dahlberg, the Board moved to appoint Brenda Green as the Lower St. Croix River Comprehensive Watershed Management Plan – Policy Committee (IWIP) as an alternate and moved to appoint Monica Wick as the District 4 Representative on the Parks Board. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Swenson, seconded by Dunne, the Board moved to authorize the DES Director to issue the associated PO's and sign any needed documents for the above listed Chisago County ARMER, NG-911 and ES Chat upgrade projects. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

On motion by Greene, seconded by Dahlberg, the Board moved to approve the Off Sale 3.2 Liquor License Application for Athens Trail Market in Stacy, MN. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, 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.***

On motion by Dunne, seconded by Greene, the Board adjourned the meeting at 9:18 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg **OPPOSED:** None.

Ben Montzka, Chair

Attest:_____

Christina Vollrath
Clerk of the Board