

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, October 16, 2024**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, October 16, 2024 at the Chisago County Government Center with the following Commissioners present: Swenson, Greene, Dunne, Montzka, Dahlberg. Also present: County Administrator Chase Burnham, Assistant County Attorney Jeff Fuge, and Clerk of the Board Christina Vollrath.

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

On motion by Greene, seconded by Montzka, the Board opened the Regional Rail Authority at 6:31 p.m. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

Regional Rail Authority (MN Stat. 398A.03)

1.) CSAH 30 Reconstruction Project Improvements

On motion by Montzka, seconded by Greene, the Board appointed Commissioner Dunne as Chair and Commissioner Dahlberg as Vice Chair for the Regional Rail Authority. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to approve the CSAH 30 Reconstruction project improvements which impact the right of way which is under the jurisdiction of the Chisago County Regional Rail Authority. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Greene, the Board adjourned the Regional Rail Authority at 6:33 p.m. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Montzka, the Board opened the Chisago County Ditch/Drainage Authority at 6:33 p.m. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

Chisago County Ditch/Drainage Authority (MN Stat. 103E.202, subd. 4)
2.) Ditch #7 Improvements

On motion by Montzka, seconded by Greene, the Board appointed Commissioner Dunne as Chair and Commissioner Dahlberg as Vice Chair for the Chisago County Ditch/Drainage Authority. The motion **passed** 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 Ditch improvement for Public Ditch #7 because the CSAH 30 reconstruction project impacts the ditch. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Montzka, the Board adjourned the Chisago County Ditch/Drainage Authority at 6:36 p.m. The motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board opened the Road and Bridge Committee of the Whole at 6:36 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

The Board was given updates on the current projects of the Public Works Department from County Engineer Joe Triplett. **No action was taken.**

On motion by Greene, seconded by Montzka, the Board moved items 3-7 to the consent agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Montzka, the Board moved to close the Road and Bridge Committee of the Whole at 6:48 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

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

- 3.) R&B Committee Recommendation – County Engineer’s Report
 - 4.) R&B Committee Recommendation – Advance Construction Resolution – CSAH
- 10

RESOLUTION NO. 24/1016-1
2024 ADVANCE FROM THE COUNTY STATE AID CONSTRUCTION FUND

WHEREAS, the County of Chisago is planning to implement County State Aid Street Project(s) in 2024 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date: January 1, 2024	\$4,253,354
Less estimated disbursements:	
Project # 013-623-010	\$ 51,000
Project # 013-621-010	\$ 1,300,000
Project # 013-610-012	\$ 5,500,000
Bond Principle (if any)	\$ 0
Project Finals (overruns-if any)	\$ 0
Other_____	\$_____
Total Estimated Disbursements	\$ 6,851,000
Advance Amount (amount in excess of acct balance)	\$ 2,597,646

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Chisago in an amount up to \$2,597,646 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

- 5.) R&B Committee Recommendation – Out of State Travel Request – NACE, Schaumburg IL
- 6.) R&B Committee Recommendation – TH 8 Reconstruction Final Design Services Contract
- 7.) R&B Committee Recommendation – Right of Way Acquisition Services – CSAH 19
- 8.) Minutes from the October 2, 2024, County Board of Commissioners Meeting
- 9.) Payment of County's Warrants and Miscellaneous Bills \$1,095,750.28
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.) Mileage Reimbursement Request – HHS

County Administrator Chase Burnham presented the Environmental Services Director's Report. ***No action was taken.***

On motion by Dahlberg, seconded by Greene, the Board moved to approve Resolution No. 24/1016-2, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Hirsch Homestead generally located at 11803 Olson Road in Sunrise Township, (PID # 09.00049.00).

RESOLUTION NO. 24/1016-2

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING THE PRELIMINARY PLAT OF HIRSCH HOMESTEAD

WHEREAS, property owner Virginia Carlson submitted an application dated received August 2, 2024 and considered complete on August 5, 2024 for the Preliminary Plat of Hirsch Homestead; and

WHEREAS, the property owner wishes to create one 10± acre lot from the 50.7± acre subject site; and

WHEREAS, the subject site is located at 11803 Olson Road in Sunrise Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 09.00049.00

Northeast Quarter of Southwest Quarter (NE 1/4 of SW 1/4) and Northwest Quarter of Southeast Quarter (NW 1/4 of SE 1/4), except the East 990 feet of the Northwest Quarter of Southeast Quarter (NW 1/4 of SE 1/4) of Section Five (5), Township Thirty-five (35), Range Twenty (20), Chisago County, Minnesota.

WHEREAS, notice was provided and on October 3, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Preliminary Plat of Hirsch Homestead with conditions per Resolution No. PC2024-1001; and

WHEREAS, the Board of Commissioners considered the request for Preliminary Plat of Hirsch Homestead and the Planning Commission's recommendation at its October 16, 2024 meeting and determined the plat to be consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the Preliminary Plat of Hirsch Homestead, subject to the following conditions:

1. The Preliminary Plat of Hirsch Homestead is approved per plat drawing dated signed June 28, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

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 Resolution No. 24/1016-3, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Mariah Van Heel Interim Use Permit (IUP) to allow an accessory structure on her 29-acre property without the presence of a principal dwelling / single-family dwelling. The subject property is generally located at the Southwest corner of 375th Street / CSAH 11 and Pottery Trail in Amador Township (PID #01.00393.10).

RESOLUTION NO. 24/1016-3

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING AN INTERIM USE PERMIT ALLOWING AN ACCESSORY STRUCTURE WITHOUT THE PRESENCE OF A PRINCIPAL USE STRUCTURE ON PROPERTY IDENTIFIED AS PID 01.00393.10 IN AMADOR TOWNSHIP

WHEREAS, property owner Mariah Van Heel submitted an application dated received and considered complete on August 5, 2024 for an Interim Use Permit allowing an accessory structure without the presence of a principal use structure on property located at the southwest corner of 375th Street / CSAH 11 and Pottery Trail in Amador Township; and

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

WHEREAS, the subject site is 29± acres in size and legally described as:

PID 01.00393.10

The West Half of the Northwest Quarter of the Southeast Quarter of Section 26, Township 35 North, Range 20 West, Chisago County, Minnesota.

That part of the following described real property lying northwesterly of the centerline of Pottery Trail:
The West Half of the West Half of the Northeast Quarter of the Southeast Quarter (W1/2 of W1/2 of NE1/4 of SE1/4) and
The East Half of the Northwest Quarter of the Southeast Quarter (E1/2 of NW1/4 of SE1/4),
all located in Section 26, Township 35, Range 20, Chisago County, Minnesota.

AND

WHEREAS, notice was provided and on October 3, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Interim Use Permit with Findings of Fact and conditions per Resolution No. PC2024-1002; and

WHEREAS, the Board of Commissioners considered the request and the Planning Commission's recommendation at its October 16, 2024 meeting and made the following findings per Zoning Ordinance Section 8.04-1, C.:

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

Finding #1 The Chisago County Comprehensive Plan does not specifically address the proposed use; however, the Zoning Ordinance allows the proposed use in the Agricultural (AG) District with issuance of an Interim Use Permit. Therefore, the County finds that the proposed use is consistent with the County's development policies.

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 Being that the proposed use is intended solely for residential storage purposes, the County finds that the proposed use will not create any demand on existing parks, schools, streets, or other public facilities or utilities which serve the subject site. Further, the Amador Town Board, serving

as Road Authority for Pottery Trail, did not provide any written concern regarding the impact on Pottery Trail following its September 17, 2024, review of the request.

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 size of the subject site (29± acres), the existing forestation / vegetation, the current agricultural use of neighboring properties, the size of adjacent properties, and the fact that the structure is proposed to exceed all required setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to neither 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 Chisago County Zoning Ordinance does not identify any aesthetic requirements for accessory structures within the Agricultural (AG) District; therefore, the County finds that there is no evidence to suggest that the structure will have an appearance which will cause 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 Chisago County Zoning Ordinance allows a singular accessory structure without the presence of a principal use structure in the Agricultural (AG) District with issuance of an Interim Use Permit; therefore, the County finds that the proposed use is in compliance with land use goals and regulations established by the County's official land use controls.

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 The proposed accessory structure is intended for the property owner's personal use and storage. The County finds that the accessory structure will create minimal traffic – certainly less traffic than that associated with a single-family dwelling, which is a Permitted Use in the same zoning district – and will not cause traffic hazard or congestion. Further, the Amador Town Board, serving as Road Authority for Pottery Trail, did not communicate any concerns related to traffic hazards or congestion on Pottery Trail following its September 17, 2024, review of the request.

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 The proposed use is consistent with accessory structures allowed in the Agricultural (AG) District and it will be separated from neighboring properties by significant distance and existing forestation / vegetation; therefore, the County finds that the accessory structure will not adversely impact nearby properties by intrusion of noise, glare, or general unsightliness.

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

1. This approval allows for a singular 3,200 sf accessory structure for personal use and storage without the presence of a principal use structure, subject to the conditions below. The accessory structure shall be constructed in general conformance with the application materials dated received August 5, 2024, and kept on file with the Chisago County Department of Environmental Services. Any significant deviation from the approved request, as determined by the Department of Environmental Services, shall require further consideration by the Planning Commission and determination by the County Board of Commissioners.
2. The structure shall not be used for overnight accommodations or include residential living quarters, until and unless this specific use is allowed per the Chisago County Zoning Ordinance. Further, the structure shall not be used for commercial purposes, until and unless this specific use is allowed per the Chisago County Zoning Ordinance.
3. No sanitary facilities shall be allowed within the accessory structure until and unless the property is further developed with a principal use structure, or the permit holder requests an Amendment to this Interim Use Permit.
4. Any change to the approved accessory structure involving enlargements, intensification, or expansion of use, or change not specifically permitted by this Interim Use Permit, shall require an Amendment to this Interim Use Permit.
5. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
6. This Interim Use Permit shall expire at such time that the current or future property owner(s) construct a principal use structure.
7. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

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 Resolution No. 24/1016-4, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Goose Lake Acres generally located at 48300 Cedarcrest Trail/CSAH 8, in Nessel Township, (PID # 06.00707.00).

RESOLUTION NO. 24/1016-4

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING THE PRELIMINARY PLAT OF GOOSE LAKE ACRES

WHEREAS, property owners David Nichols & Sheryl Nichols and applicant Dennis Batty submitted an application dated received August 21, 2024 and considered complete on August 27, 2024 for the Preliminary Plat of Goose Lake Acres; and

WHEREAS, the property owners wish to create three lots, ranging in size from 5± acres to 7.5± acres, from the 40± acre subject site; and

WHEREAS, the subject site is located at 48300 Cedarcrest Trail / CSAH 8 in Nessel Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 06.00707.00

The Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section Thirty-four (34), Township Thirty-seven (37), Range Twenty-two (22), Chisago County, Minnesota.

AND

That part of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of Section Thirty-four (34), Township Thirty-seven (37), Range Twenty-two (22), Chisago County, Minnesota described as follows:

Beginning at the northeast corner of said SE 1/4 of the SE 1/4; thence South 01 degrees 47 minutes 36 seconds West, assumed bearing, along the east line of said SE 1/4 of the SE 1/4, a distance of 25.00 feet; thence North 88 degrees 43 minutes 33 seconds West a distance of 343.99 feet; thence North 87 degrees 43 minutes 38 seconds West a distance of 782.18 feet, more or less, to the north line of said Southeast Quarter of the Southeast Quarter, thence easterly, along said north line, a distance of 1126.34 feet to the point of beginning and said line there terminating.

WHEREAS, notice was provided and on October 3, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner (D. Nichols) and applicant, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Preliminary Plat of Goose Lake Acres with conditions per Resolution No. PC2024-1003; and

WHEREAS, the Board of Commissioners considered the request for Preliminary Plat of Goose Lake Acres and the Planning Commission's recommendation at its October 16, 2024 meeting and determined the plat to be consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the Preliminary Plat of Goose Lake Acres, subject to the following conditions:

1. The Preliminary Plat of Goose Lake Acres is approved per plat drawing dated signed August 13, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

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 Resolution No. 24/1016-5, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Fjellansbole Acres generally located at 11293 335th Street in Chisago Lake Township, (PID # 02.00601.00).

RESOLUTION NO. 24/1016-5

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA,
APPROVING THE PRELIMINARY PLAT OF FJELLANSBOLE ACRES**

WHEREAS, property owners Alan Johnson & Marilyn Johnson and applicant Chris DuBose submitted an application dated received August 22, 2024 and considered complete on August 27, 2024 for the Preliminary Plat of Fjellansbole Acres; and

WHEREAS, the property owners wish to create one 7.2± acre lot from the 67.7± acre subject site; and

WHEREAS, the subject site is located at 11293 335th Street in Chisago Lake Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 02.00601.00

The Northwest Quarter of the Northwest Quarter and Lot 6, all in Section 17, Township 34, Range 20,

Also part of Lot 7 in Section 17, Township 34, Range 20, described as follows, to-wit:

Commencing at the quarter section post between Sections 17 and 18, Township 34, Range 20, variation 14° East, running thence south 45° East 9 chains and 50 links to the bank of Sunrise Lake, thence in a Northeasterly direction along the margin of said lake to the point where the quarter section line running east through Section 17 intersects the said lake, thence west along the quarter section line 13 chains and 90 links, to the point of beginning.

EXCEPT THE FOLLOWING TWO PARCELS:

That part of Government Lots 6 and 7 of Section 17, Township 34, Range 20, described as follows:

Commencing at the quarter corner section post between Sections 17 and 18; thence North a distance of 800 feet along the section line; thence East, assumed bearing, a distance of 660 feet to the point of beginning, thence South, assumed bearing, for a distance of 528 feet, thence deflecting 45° East, continuing Southeasterly for a distance of 260 feet, more or less, to the lakeshore; thence Northeasterly along the lakeshore a distance of 780 feet, more or less, to the Southerly extension of the East line of Government Lot 6; thence North, along the East line of Government Lot 6 to a point East, assumed bearing, of the point of beginning; thence West, assumed bearing, a distance of 660 feet, more or less, to the point of beginning, and there ending.

AND

That part of the Northwest Quarter of the Northwest Quarter (NW1/4 of NW1/4) of Section 17, Township 34, Range 20, described as follows:

Commencing at the Northwest corner of the NW1/4 of NW1/4, thence East along the North line of the NW1/4 of NW1/4, a distance of 350 feet which is the point of beginning, thence South and parallel to the West line of the NW1/4 of NW1/4 a distance of 306 feet; thence Northeasterly to a point on the East line of the NW1/4 of NW1/4, which is located 174 feet South of the Northeast corner of the NW1/4 of NW1/4, thence North along said East line a distance of 174 feet to the Northeast corner thereof; thence West on the North line of the NW1/4 of NW1/4 to the point of beginning.

WHEREAS, notice was provided and on October 3, 2024 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 Preliminary Plat of Fjellansbole Acres with conditions per Resolution No. PC2024-1004; and

WHEREAS, the Board of Commissioners considered the request for Preliminary Plat of Fjellansbole Acres and the Planning Commission's recommendation at its October 16, 2024 meeting and determined the plat to be consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the Preliminary Plat of Fjellansbole Acres, subject to the following conditions:

4. The Preliminary Plat of Fjellansbole Acres is approved per plat drawing dated signed August 5, 2024, and shown to be amended last on August 12, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
5. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
6. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

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 Resolution No. 24/1016-6, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Jaime Jacobson & Lisa Logue Interim Use Permit (IUP) to allow an accessory structure on their 20-acre property without the presence of a principal dwelling / single-family dwelling. The subject property is generally located between Elmcrest Avenue and Falcon Avenue / CSAH 9 on the north side of 520th Street in Nessel Township (PID #06.00030.00).

RESOLUTION NO. 24/1016-6

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING AN INTERIM USE PERMIT ALLOWING AN ACCESSORY STRUCTURE WITHOUT THE PRESENCE OF A PRINCIPAL USE STRUCTURE ON PROPERTY IDENTIFIED AS PID 06.00030.10 IN NESSEL TOWNSHIP

WHEREAS, property owners Jaime Jacobson & Lisa Logue submitted an application dated received August 27, 2024 and considered complete on August 28, 2024 for an Interim Use Permit allowing an accessory structure without the presence of a principal use structure on property located at xxxxx 520th Street in Nessel Township; and

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

WHEREAS, the subject site is 20± acres in size and legally described as:

PID 06.00030.10

The West Half of the Southwest Quarter of the Southeast Quarter (W ½ of SW ¼ of SE ¼) of Section Seven (7), Township Thirty-seven (37) North, Range Twenty-one (21) West, Chisago County, Minnesota.

Subject to and together with any valid easements, reservations, restrictions and covenants, if any.

WHEREAS, notice was provided and on October 3, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owners, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Interim Use Permit with Findings of Fact and conditions per Resolution No. PC2024-1005; and

WHEREAS, the Board of Commissioners considered the request and the Planning Commission's recommendation at its October 16, 2024 meeting and made the following findings per Zoning Ordinance Section 8.04-1, C.:

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

Finding #1 The Chisago County Comprehensive Plan does not specifically address the proposed use; however, the Zoning Ordinance allows the proposed use in the Agricultural (AG) District with issuance of an Interim Use Permit. Therefore, the County finds that the proposed use is consistent with the County's development policies.

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 Being that the proposed use is intended solely for residential storage purposes, the County finds that the proposed use will not create any demand on existing parks, schools, streets, or other public facilities or utilities which serve the subject site. Further, the Nessel Town Board, serving as Road Authority, did not provide any written concern regarding the impact on 520th Street or surrounding Township roads following its September 10, 2024, review of the request.

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 size of the subject site (20± acres), the existing forestation / vegetation located north, east, and south of the proposed structure, the current agricultural use of the property to the west, the size of adjacent properties, and the fact that the structure is proposed to exceed all

required setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to neither 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 Chisago County Zoning Ordinance does not identify any aesthetic requirements for accessory structures within the Agricultural (AG) District; therefore, the County finds that there is no evidence to suggest that the structure will have an appearance which will cause 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 Chisago County Zoning Ordinance allows a singular accessory structure without the presence of a principal use structure in the Agricultural (AG) District with issuance of an Interim Use Permit; therefore, the County finds that the proposed use is in compliance with land use goals and regulations established by the County's official land use controls.

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 The proposed accessory structure is intended for the property owners' personal use and storage, and the property owners have stated in their application materials that it will not be used for commercial use. The County finds that the accessory structure will create minimal traffic – certainly less traffic than that associated with a single family dwelling, which is a Permitted Use in the same zoning district – and will not cause traffic hazard or congestion. Further, the Nessel Town Board, serving as Road Authority, did not communicate any concerns related to traffic hazards or congestion on 520th Street or surrounding Township roads following its September 10, 2024 review of the request.

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 The proposed use is consistent with accessory structures allowed in the Agricultural (AG) District and it will be separated from neighboring properties by significant distance and existing forestation / vegetation; therefore, the County finds that the accessory structure will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.

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

8. This approval allows for a singular 3,456 sf accessory structure for personal use and storage without the presence of a principal use structure, subject to the conditions below. The accessory structure shall be constructed in general conformance with the application materials dated received August 27, 2024, and kept on file with the Chisago County Department of Environmental Services. Any significant deviation from the approved request, as determined by the Department of

Environmental Services, shall require further consideration by the Planning Commission and determination by the County Board of Commissioners.

9. The structure shall not be used for overnight accommodations or include residential living quarters, until and unless this specific use is allowed per the Chisago County Zoning Ordinance. Further, the structure shall not be used for commercial purposes, until and unless this specific use is allowed per the Chisago County Zoning Ordinance.
10. No sanitary facilities shall be allowed within the accessory structure until and unless the property is further developed with a principal use structure, or the permit holder requests an Amendment to this Interim Use Permit.
11. Any change to the approved accessory structure involving enlargements, intensification, or expansion of use, or change not specifically permitted by this Interim Use Permit, shall require an Amendment to this Interim Use Permit.
12. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
13. This Interim Use Permit shall expire at such time that the current or future property owner(s) construct a principal use structure.
14. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

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

On motion by Dahlberg, seconded by Montzka, the Board moved to approve Resolution No. 24/1016-7, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Final Plat of Ponytail Addition generally located at the southeast corner of Rush Lake Trail / CSAH 1 and 527th Street / CR 94 in Nessel Township, (PID # 06.00235.10).

RESOLUTION NO. 24/1016-7

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA,
APPROVING THE FINAL PLAT OF PONYTAIL ADDITION**

WHEREAS, property owners Kenneth Knoss & Bernice Knoss and applicant Larry Hansen submitted an application dated received May 31, 2024 and considered complete on June 3, 2024 for the Preliminary Plat of Ponytail Addition; and

WHEREAS, the property owners wish to create one lot from the 46± acre subject site; and

WHEREAS, the subject site is generally located at the southeast corner of Rush Lake Trail / CSAH 1 and 527th Street / CR 94 in Nessel Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 06.00235.10

That part of the Southwest Quarter of the Northeast Quarter, Section 11, Township 37, Range 22, Chisago County, Minnesota, lying East of the centerline of Chisago County Road No. 1 as laid out and traveled August 14, 2003.

AND

The West 108 feet of the Southeast Quarter of the Northeast Quarter of Section 11, Township 37, Range 22, Chisago County, Minnesota.

AND

That part of the Northeast Quarter of the Southeast Quarter and that part of Government Lot 3 lying East of the center line of Chisago County Road No. 1 as laid out and traveled August 14, 2003, all in Section 11, Township 37, Range 22, Chisago County, Minnesota, lying Northerly of the following described line:

Commencing at the East Quarter corner of said Section 11; thence South 00 degrees 07 minutes 51 seconds East, assumed bearing along the East line of the Southeast Quarter of said Section 11, a distance of 655.00 feet to the point of beginning of the line to be described; thence South 76 degrees 47 minutes 00 seconds West, 152.00 feet; thence South 38 degrees 20 minutes 00 seconds West, 173.24 feet; thence South 87 degrees 20 minutes 00 seconds West, 1339.14 feet, to the West line of Parcel 27, Chisago County Highway Right-of-Way Plat No. 71, and said line there terminating.

WHEREAS, the Preliminary Plat of Ponytail Addition was recommended for approval by the Planning Commission on July 11, 2024 and approved by the Board of Commissioners on July 17, 2024; and

WHEREAS, at the time of Preliminary Plat approval, Kenneth Knoss & Bernice Knoss were identified as legal owners of the lands subject to the application. By affidavit of identity and survivorship recorded on August 14, 2024, Kenneth Knoss acquired the interest held by Bernice Knoss at the time of her death; and

WHEREAS, property owner Kenneth Knoss, a widowed person, and applicant Larry Hansen submitted a request for Final Plat of Ponytail Addition on September 16, 2024; and

WHEREAS, the Final Plat submitted on September 16, 2024 generally conforms to the approved Preliminary Plat and meets all conditions of Preliminary Plat approval; and

WHEREAS, the Chisago County Attorney's Office has reviewed the pending application for Final Plat and the title opinion received of the property owner's attorney dated August 27, 2024, and the Attorney's Office has provided a legal opinion that full legal title of the subject property is in the name of Kenneth W. Knoss, a widowed person.

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

7. The Final Plat is approved as submitted on September 16, 2024. Any deviation from the approved plat drawing prior to recording shall require further review by the Planning Commission and approval by the County Board.
8. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.

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

On motion by Greene, seconded by Montzka, the Board moved to approve and authorize execution of the FY 2025 State of Minnesota Board of Water and Soil Resources MPCA SSTS Program Grant Agreement and Septic Grant Program Policy. 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 accept the October 9th Budget and Finance Report, approve removing the trees around the Chisago County Government Center for \$12,900 or less using unallocated ARPA, approve purchasing a post puller for the Public Works Department for \$8,492, paying for it using 2024 unallocated CIP funds, approve funding \$20,850 worth of removed 2025 operating budget requests: Chisago County Historical Society Digital Memories Project, County Assessor and County Attorney Chairs, and Environmental Services Safety Equipment, approve funding the \$8,500 for the concrete repair at the Center City Public Works Facility and \$3,500 for the controller at the Harris Sheriff District Office from the 2024 unallocated CIP, approve funding the increase of \$2,875, from the already allocated Management Training ARPA allocation, to the Strategic Planning project for payment to Dave Unmacht. 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 the 2025 Agreement to Provide Law Enforcement Services for the cities of Taylor's Falls, Shafer, Center City, Stacy, Harris, and Rush City. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to approve the Children's Mental Health Screening Grant 2025. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to approve the HHS Interview Rooms project for \$29,503.54 using 2024 CIP funds. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to confirm the appointment of Mr. Daryl Moeller as Chisago County Assessor.

RESOLUTION NO. 24/1016-8
REAPPOINTING DARYL MOELLER
AS CHISAGO COUNTY ASSESSOR

WHEREAS, Minnesota Statute 273.061 provides for each County Board of the State of Minnesota to fill the office of County Assessor by appointment for a term of four years; and

WHEREAS, Chisago County Assessor Daryl Moeller has performed exceedingly well the performance of the duties and responsibilities of his office during the past four-year term as; and

WHEREAS, the citizens of Chisago County and the property tax system which we administer will be well served by the continued management by and oversight of the incumbent Assessor;

NOW, THEREFORE, BE IT RESOLVED, that the Chisago County Board of Commissioners hereby reappoints Daryl Moeller as the County Assessor for a four-year term effective January 1, 2025.

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

On motion by Montzka, seconded by Greene, the Board moved to approve the 2024 Contract for Professional Services with Widseth Smith Nolting & Associates Inc., and corresponding budget adjustment of \$3,500. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to call for a public hearing on the ordinance relating to the Regulation and Registration of Cannabis Retail Businesses and Lower-Potency Hemp Edible Retailer Businesses Chisago County on November 6th, 2024, at 7 p.m. 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 2024 Seal Coat Program CP 013-SC-024. 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 November 4-11, 2024, as "Operation Green Light for Veterans."

RESOLUTION NO. 24/1016-9

SUPPORTING OPERATION GREEN LIGHT FOR VETERANS

WHEREAS, the residents of Chisago County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of those who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Chisago County seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44–72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, Chisago County appreciates the sacrifices of our United States military personnel and believes specific recognition should be granted; therefore be it

RESOLVED, with designation as a Green Light for Veterans County, Chisago County hereby declares from October through Veterans Day, November 11th, 2024, a time to salute and honor the service and sacrifices of our men and women in uniform transitioning from active service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Chisago County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 4th through the 11th, 2024.

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

CITIZENS FORUM

TIME – 7:19 p.m.

END TIME – 7:19 p.m.

of SPEAKERS –0

County Administrator Burnham provided administrative updates. **No action was taken.**

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

On motion by Montzka, seconded by Swenson, the Board adjourned the meeting at 7:36 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

Attest: _____
Christina Vollrath
Clerk of the Board

Marlys Dunne, Chair