

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
Wednesday, February 17, 2021**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, February 17, 2021 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, Dunne, Robinson. Also present: County Administrator Chase Burnham and Clerk of the Board Christina Vollrath. Commissioner Ben Montzka and Assistant County Attorney Aimee Cupelli participated via video conference call.

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

Commissioner Greene offered a motion to approve the agenda with adding a COVID-19 report by Public Health. Motion seconded by Robinson. The motion **passed** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

From 6:30 to 6:42 p.m., Courtney Wehrenberg from Public Health gave a COVID-19 Report.

On motion by Montzka, seconded by Greene, the Board opened the Road and Bridge Committee of the Whole at 6:42 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

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

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

At 6:58 p.m., on motion by Greene, seconded by Montzka, the Board moved to close the Road and Bridge Committee of the Whole. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

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

- 1.) R&B Committee Recommendation – County Engineer’s Report

- 2.) R&B Committee Recommendation – Prof. Service Contract for Harris Facility Wash Bay
- 3.) R&B Committee Recommendation – Prof. Service Contract for Construction Testing
- 4.) R&B Committee Recommendation – Resolution of Sponsorship and Support for LRIP

**RESOLUTION NO. 21/0217-1  
LOCAL ROAD IMPROVEMENT PROGRAM  
SPONSORSHIP OF CHISAGO LAKE TOWNSHIP PROJECT**

**WHEREAS**, The Local Road Improvement Program (LRIP) is established in Minnesota Statute 174.52; and

**WHEREAS**, the legislature provided \$75,000,000 for LRIP in Laws of Minnesota, 5th Special Session, Chapter 3, Article 1, Section 16, Subdivision 2 with a cap of \$1.25M for each project, and

**WHEREAS**, this funding is available for statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or the Trunk Highway Account, and

**WHEREAS**, Non-State Aid cities and townships must have a county sponsor, and

**WHEREAS**, Chisago Lake Township has requested the county sponsorship by resolution 2021-02-16 for its 250th Street (CSAH 15 to CR 91) project, and

**WHEREAS**, the Township and its Engineer shall prepare the grant agreement, develop and deliver State Aid plans for the project, advertise, bid and award the project, provide all construction services for the project and close out the project, and

**WHEREAS**, Chisago Lake Township will ultimately be responsible for all costs not covered by such grant application, as well as other liabilities that may arise from such a project, and has agreed to maintain such improvements for the lifetime of the improvements, and

**WHEREAS**, Chisago Lake Township does not intend to ask or require any participation, financial or otherwise from Chisago County other than the use of the County Engineer to act as the County’s agent in dealing with matters related to the County acting as fiscal agent for this project, and

**NOW, THEREFORE, BE IT RESOLVED:** Chisago County will act as the sponsoring agency for the project for Chisago Lake Township should an LRIP grant be awarded and acknowledges herewith that it is willing to be the project sponsor acting

only as the fiscal agent on behalf of the Township so the funds can allocated to the contractor.

**RESOLUTION NO. 21/0217-2  
LOCAL ROAD IMPROVEMENT PROGRAM  
SPONSORSHIP OF FISH LAKE TOWNSHIP PROJECT**

**WHEREAS**, The Local Road Improvement Program (LRIP) is established in Minnesota Statute 174.52; and

**WHEREAS**, the legislature provided \$75,000,000 for LRIP in Laws of Minnesota, 5th Special Session, Chapter 3, Article 1, Section 16, Subdivision 2 with a cap of \$1.25M for each project, and

**WHEREAS**, this funding is available for statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or the Trunk Highway Account, and

**WHEREAS**, Non-State Aid cities and townships must have a county sponsor, and

**WHEREAS**, Fish Lake Township has requested the county sponsorship by resolution number 2021-3 for the following projects:

- Andee Avenue (CSAH 10 to North Pine Lake Road)
- Anchor Avenue (CSAH 10 to CR 63)
- North Pine Lake Road (TH 95 to Skogman Lake Road)

**WHEREAS**, the Township and its Engineer shall prepare the grant agreement, develop and deliver State Aid plans for the project, advertise, bid and award the project, provide all construction services for the project and close out the project, and

**WHEREAS**, Fish Lake Township will ultimately be responsible for all costs not covered by such grant application, as well as other liabilities that may arise from such a project, and has agreed to maintain such improvements for the lifetime of the improvements, and

**WHEREAS**, Fish Lake Township does not intend to ask or require any participation, financial or otherwise from Chisago County other than the use of the County Engineer to act as the County's agent in dealing with matters related to the County acting as fiscal agent for this project, and

**NOW, THEREFORE, BE IT RESOLVED:** Chisago County will act as the sponsoring agency for the project for Fish Lake Township should an LRIP grant be

awarded and acknowledges herewith that it is willing to be the project sponsor acting only as the fiscal agent on behalf of the Township so the funds can allocated to the contractor.

**RESOLUTION NO. 21/0217-3  
LOCAL ROAD IMPROVEMENT PROGRAM  
SPONSORSHIP OF NESSEL TOWNSHIP PROJECT**

**WHEREAS**, The Local Road Improvement Program (LRIP) is established in Minnesota Statute 174.52; and

**WHEREAS**, the legislature provided \$75,000,000 for LRIP in Laws of Minnesota, 5th Special Session, Chapter 3, Article 1, Section 16, Subdivision 2 with a cap of \$1.25M for each project, and

**WHEREAS**, this funding is available for statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or the Trunk Highway Account, and

**WHEREAS**, Non-State Aid cities and townships must have a county sponsor, and

**WHEREAS**, Nessel Township has requested the county sponsorship by resolution number 02-2021 for its Clover Trail (CSAH 7 to Clover Way) project, and

**WHEREAS**, the Township and its Engineer shall prepare the grant agreement, develop and deliver State Aid plans for the project, advertise, bid and award the project, provide all construction services for the project and close out the project, and

**WHEREAS**, Nessel Township will ultimately be responsible for all costs not covered by such grant application, as well as other liabilities that may arise from such a project, and has agreed to maintain such improvements for the lifetime of the improvements, and

**WHEREAS**, Nessel Township does not intend to ask or require any participation, financial or otherwise from Chisago County other than the use of the County Engineer to act as the County's agent in dealing with matters related to the County acting as fiscal agent for this project, and

**NOW, THEREFORE, BE IT RESOLVED:** Chisago County will act as the sponsoring agency for the project for Nessel Township should an LRIP grant be awarded and acknowledges herewith that it is willing to be the project sponsor acting only as the fiscal agent on behalf of the Township so the funds can allocated to the contractor.

**RESOLUTION NO. 21/0217-4**

**LOCAL ROAD IMPROVEMENT PROGRAM  
SPONSORSHIP OF SUNRISE TOWNSHIP PROJECT**

**WHEREAS**, The Local Road Improvement Program (LRIP) is established in Minnesota Statute 174.52; and

**WHEREAS**, the legislature provided \$75,000,000 for LRIP in Laws of Minnesota, 5th Special Session, Chapter 3, Article 1, Section 16, Subdivision 2 with a cap of \$1.25M for each project, and

**WHEREAS**, this funding is available for statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or the Trunk Highway Account, and

**WHEREAS**, Non-State Aid cities and townships must have a county sponsor, and

**WHEREAS**, Sunrise Township has requested the county sponsorship by resolution number 2021-02-18-1 for its Mill St./River Rd (CSAH 9 to Wilcox Road) project, and

**WHEREAS**, the Township and its Engineer shall prepare the grant agreement, develop and deliver State Aid plans for the project, advertise, bid and award the project, provide all construction services for the project and close out the project, and

**WHEREAS**, Sunrise Township will ultimately be responsible for all costs not covered by such grant application, as well as other liabilities that may arise from such a project, and has agreed to maintain such improvements for the lifetime of the improvements, and

**WHEREAS**, Sunrise Township does not intend to ask or require any participation, financial or otherwise from Chisago County other than the use of the County Engineer to act as the County's agent in dealing with matters related to the County acting as fiscal agent for this project, and

**NOW, THEREFORE, BE IT RESOLVED:** Chisago County will act as the sponsoring agency for the project for Sunrise Township should an LRIP grant be awarded and acknowledges herewith that it is willing to be the project sponsor acting only as the fiscal agent on behalf of the Township so the funds can allocated to the contractor.

- 5.) R&B Committee Recommendation – Final Contract Payment for CR 93 Reconditioning
- 6.) Minutes from the February 3, 2021 Regular Meeting
- 7.) Payment of County's Warrants and Miscellaneous Bills

## **CITIZENS FORUM**

**TIME** – 6:59 p.m.

**END TIME** – 7:02 p.m.

1 Letter, 2 emails, # of **SPEAKERS** – 0

Environmental Services Director Kurt Schneider presented the Board with the Director's Report and action items. *No action was taken.*

On motion by Greene, seconded by Robinson, the Board moved to approve the Director's Report. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Greene, seconded by Robinson, the Board moved to accept the 2020 Annual Report of Chisago County Parks and Trails Division of the Environmental Services Department. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Robinson, seconded by Greene, the Board moved to approve DNR Natural and Scenic Area Grant Program Resolution No. 21/0217-5 and Authorize Staff Pursuit and Application to the DNR Natural and Scenic Area Grant Program for a 50/50 Land Acquisition Funding Grant to Acquire the Checkerboard Park "Lutz" Property from the Parks and Trails Council of Minnesota. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

### **RESOLUTION NO. 21/0217-5 AUTHORIZING APPLICATION OF A GRANT FOR LAND ACQUISITION ADJACENT TO CHECKERBOARD PARK**

**BE IT RESOLVED** that Chisago County act as legal sponsor for the project contained in the Natural & Scenic Areas grant application to be submitted on March 31, 2021 and that Chisago County Parks Director is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Chisago County.

**BE IT FURTHER RESOLVED** that the applicant has read the Conflict of Interest Policy contained in the Natural and Scenic Areas Grant Program Manual and, upon discovery, certifies it will report to the State any actual, potential, or perceived individual or organizational conflicts of interest related to the application or grant award.

**BE IT FURTHER RESOLVED** that Chisago County has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

**BE IT FURTHER RESOLVED** that Chisago County has not incurred any

development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

**BE IT FURTHER RESOLVED** that Chisago County has or will acquire fee title or permanent easement over the land described in the site plan included in the application.

**BE IT FURTHER RESOLVED** that, upon approval of its application by the state, Chisago County may enter into an agreement with the State of Minnesota for the above-referenced project, and that Chisago County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

**NOW, THEREFORE BE IT RESOLVED** that Chairman Chris DuBose is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

On motion by Greene, seconded by Montzka, the Board moved to pass the Minnesota Pollution Control Agency Fiscal Year 2021 Grant Program Authorization Resolution No. 21/0217-6, and Direct Staff to Finalize the Draft Application and Apply to the Environmental Assistance Greater Minnesota Recycling and Composting Grant Program for a Grant Award Not To Exceed \$250,000 plus 25% Local Match and/or as amended at tonight's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

**RESOLUTION NO. 21/0217-6  
MINNESOTA POLLUTION CONTROL AGENCY  
FISCAL YEAR 2021 GRANT PROGRAM  
AUTHORIZATION RESOLUTION**

**WHEREAS**, Chisago County has applied for a grant from the Minnesota Pollution Control Agency (MPCA), under its FY2021 Greater MN Recycling and Composting Grant Program; and

**WHEREAS**, if MPCA funding is received Chisago County is committed to implementing the proposed project as described in the grant applications; and

**WHEREAS**, MPCA requires that Chisago County enter into a grant agreement with the MPCA that identifies the terms and conditions of the funding award;

**BE IT RESLOVED THAT** the Chisago County Board hereby agrees to enter into and sign a grant agreement with the MPCA to carry out the project specified therein and to comply with all of the terms, conditions, and matching provisions of the grant

agreement and authorizes and directs the County Board Chairperson to sign the grant agreement on its behalf.

On motion by Greene, seconded by Dunne, the Board moved to deny the Mike Bufalini, MN121819, LLC, request for an Interim Use Permit to construct and operate a 1 MW Solar Garden on the 38.7 acre Keith Johnson owned property at the southwest corner of the intersection of County Road 9 and 11 in Sunrise Township; PID# 09.00303.10; Section 28, T.35, R.20.; with the following Finding:

1. By application of Section 7.31 G.3 of the Solar Energy Systems Ordinance, the request as submitted does not meet the required 735 foot minimum setback standard from County Roads 9 and 11 as required pursuant to Section 7.31 F. 10 of the Solar Energy Systems Ordinance.

and/or as amended, modified, or expanded upon in review of the record at tonight's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka **OPPOSED:** Robinson.

On motion by Greene, seconded by Montzka, the Board moved to approve the Mike Bufalini, MN121819, LLC Interim Use Permit to construct a one-megawatt solar garden in Amador Township, Sec. 25, T. 35, R 20, XXX Park Trail, (PID #01.00354.50) with Findings as presented and Conditions as recommended by the Planning Commission and/or as amended at tonight's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Robinson, seconded by Montzka, the Board moved to approve the Mike Bufalini, MN121819, LLC Interim Use Permit Interim Use Permit to construct a one-megawatt solar garden at in Amador Township, Sec. 35, T. 35, R 20, XXX Oriole Avenue, (PID #01.00401.10) with Findings as presented and Conditions as recommended by the Planning Commission and/or as amended at tonight's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Dunne, Montzka, Robinson **OPPOSED:** Greene, DuBose.

On motion by Greene, seconded by Dunne, the Board moved to approve the Mueller Addition final plat located in Chisago Lake Township, XXXX Oasis Rd., in Section 4, T. 34, R. 20, PID #02.00848.00 with the following conditions:

- 1) Silt fencing be installed around the building envelope and all delineated wetlands, particularly where sedimentation due to construction is likely to occur given close proximity to wetlands.
- 2) The Surveyor of said project shall locate and survey all delineated wetland areas.

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

On motion by Robinson, seconded by Dunne, the Board moved to accept the recommendation by the Implementation Policy Committee and to approve the Lower St.



Croix Comprehensive Watershed Management Plan, Watershed Based Implementation Funding Work Plan for 2021-2022. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to authorize the D.E.S. Director to issue purchase orders for the bird screening at the NB HHS building for a total cost of \$9,989.99. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Greene, seconded by Robinson, the Board moved to authorize the DES Director to issue the necessary purchase orders and sign the required documents to purchase the Commasset software and Anritsu hardware. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to approve holding a public hearing to consider an Economic Development Tax Abatement for All Mac, Inc. to be held on April 21, 2021 at 7:00 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **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 Greene, seconded by Dunne, the Board adjourned the meeting at 8:02 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

\_\_\_\_\_  
Chris DuBose, Chair

Attest: \_\_\_\_\_  
Christina Vollrath  
Clerk of the Board