

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, May 15, 2019**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, May 15, 2019 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, McMahan, Montzka, Robinson. Also present: Assistant County Attorney Maureen Caturia, and County Administrator Bruce Messelt and Clerk of the Board Chase Burnham.

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

Commissioner McMahan offered a motion to approve the amended agenda. Motion seconded by DuBose and upon a vote being taken thereon, the motion **passed** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

The Chair opened the Road and Bridge Committee of the Whole at 6:30 p.m.

The Board was given updates on the following current projects of the Public Works Department from County Engineer Joe Triplett: Project Updates, CSAH 39 Reconstruction Project, CSAH 4 Issues, Snow Plow Policy, County Park Parking Lots, Tandem Plow Trucks, and Road Restrictions. *No action was taken.*

Commissioner Robinson mad a motion to bond for CR 4, however motion **failed** for a lack of second.

On motion by McMahan, seconded by Montzka, the Board moved to accept the Highway Engineer's and item 2 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

At 6:45 p.m., the Chair closed the Road and Bridge Committee of the Whole.

On motion by DuBose, seconded by McMahan, the Board moved to authorize an offer of employment and approve the appointment of Ms. Monica Long as the Chisago County Health and Human Services Director, effective June 1st, 2019, contingent upon a review of the County's prior background investigation and reference checks (from initial hire) and completion of a personality profile assessment. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

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

- 1.) Accept County Engineer's Report
- 2.) R&B Committee Recommendations: CSAH 39 Reconstruction Project Contract
- 3.) Approve Minutes from May 1, 2019 Meeting
- 4.) Authorize Payment of the County's Warrants and Miscellaneous Bills
- 5.) 2019 Liquor License Renewals
- 6.) Committee Re-Appointment – Water Plan Policy Team
- 7.) Applications for Abatements (reduction) of Property Taxes

On motion by McMahon, seconded by DuBose, the Board moved to appoint Sarah Kerkes to the Citizens Review Panel. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka **OPPOSED:** Robinson.

Environmental Services and Zoning Director Kurt Schneider presented the Board with the following action items; Board of Appeal and Adjustment and Planning Commission Updates, Permit and Construction Updates, AIS and Lake Water Height Updates. *No action was taken.*

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

On motion by DuBose, seconded by McMahon, the Board moved to approve Ordinance No. 2019 0515-1 Repealing and Replacing Subdivision Ordinance No. 99-2 Section 1.06. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by DuBose, seconded by McMahon, the Board moved to extend the initial 60-day period for required action on this CUP application for up to an additional 60 days, so to allow for further review of the record and to make a decision on this application, as allowed under Minnesota State Statute 15.99 Subd. 3(f). The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by DuBose, seconded by McMahon, the Board moved to Direct and Authorize the Chisago County Planning Commission Carryout a Review of the Chisago County Zoning Ordinance Home Occupation Provisions and affiliated Permitted Uses within the Agricultural District. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Robinson **OPPOSED:** Montzka.

At 7:22 p.m. the Chair opened Citizen Forum. 2 Citizens spoke; the Chair closed Citizen Forum at 7:27 p.m.

Community Health Supervisor Courtney Wehrenberg, HHS Director Monica Long and Public Health Supervisor Pamela Bates presented the Board with the Public Health Annual Report. *No action was taken.*

On motion by DuBose, seconded by McMahon, the Board moved to publish the Public Health Annual Report. **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Robinson, seconded by Montzka, the Board moved to approve the Day Training and Habilitation Agreement with the Bridges, the State of Minnesota Department of Human Services County Grant Contract for Fraud Prevention Investigation, the Letter of Agreement between Chisago County and The Hazelden Betty Ford Graduate School of Addiction Studies, the Professional/Technical Services Contract with Kantner Consulting LLC, and the Professional/Technical Services Contract between Solid Oak Financial Services and Chisago County. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Robinson, seconded by McMahon, the Board moved to approve the Out of State Travel request to attend the 2019 ProPhoenix National Advanced Training and User Conference for three Sheriff's Office and one MICS Employee. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by McMahon, seconded by DuBose, the Board moved to approve the purchase of Centurion Scout Alarms made by Stop Stick, Ltd. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Montzka, seconded by McMahon, the Board moved to approve the service agreement between Canvas Health and Chisago County for the implementation of a chemical dependency treatment program in the Chisago County Jail. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by McMahon, seconded by DuBose, the Board moved to approve by Resolution the acceptance of a donation of \$14,936.99 for the Sheriff Office's Drone Project from the Chisago County Sheriff Foundation and purchase a Maverick System Drone. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by McMahon, seconded by Montzka, the Board moved to approve the Out-of-State Travel Request for Assistant County Attorney David Classen to attend the Internet Crimes Against Children Task Force ('ICAC') 'National Law Enforcement Training on Child Exploitation' conference in Atlanta, GA, on June 11-13, 2019. The

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

On motion by McMahon, seconded by Montzka, the Board moved to approve the grant application of the County Attorney and Victim Services Coordinator for funding through the State of Minnesota Office of Justice Programs. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by McMahon, seconded by DuBose, the Board moved to establish that the Chisago County Drainage Authority determines that, pursuant to the October 3rd, 2018 initial direction of the Drainage Authority and subsequent determination of private ownership, repairs undertaken to the private culvert encroaching on County Ditch #7 and serving addresses 6541-6596 Pine Street N. in the City of North Branch shall be considered removal of obstruction to County Ditch #7 , pursuant to M.S. §103B.075 and following the procedures set out in M.S. §103E.705 Subd. 5 and Subd. 7(3) and be it further determined that, pursuant to M.S. §103E.705, the Chisago County Drainage Authority hereby directs County Staff to set a time and location for, and provide notice to the responsible parties to appear before the Authority to consider this determination. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka **OPPOSED:** DuBose. Robinson.

On motion by McMahon, seconded by DuBose, the Board moved to approve the following changes for the MICS Department: Eliminate one existing open Network support position, eliminate one existing Group Leader / Senior Network position, create one Assistant Director position, and create one additional System support position. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

County Administrator Bruce Messelt provided the County Board with a Legislative Update.

On motion by McMahon, seconded by Montzka, the Board moved to approve the Business Associate (BAA) and Non-Disclosure (NDA) Agreement between Chisago County and Prevent Child Abuse America. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Montzka, seconded by McMahon, the Board moved to approve advertising for the Vacancy on the Comfort Lake Forest Lake Watershed District. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by McMahon, seconded by Montzka, the Board moved to approve the preliminary plat of "Acorn Acres," Amador Township Sec. 14, T.35, R.20, at Pine Avenue and 392nd Street. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Montzka, seconded by McMahon, the Board moved to approve the Chisago County MICS/F&M Director to execute the agreement with JJ Mack to repair and replace the sidewalk in front of the Chisago County Government Center/Courthouse, located in Center City, MN for a total cost not to exceed \$14,405.00. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Montzka, seconded by DuBose, the Board moved to approve the recommendations of the Budget and Finance Committee. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

County Administrator Messelt provided the following updates: District 5 AMC Meeting on June 10th in Mora, NACO Nation Conference in Las Vegas, Invasive Species Webinar, ARMER Radio Update. *No action was taken.*

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

Chair Greene announced that the Board will be closing the meeting to hold a Closed Session permitted by the attorney-client privilege. Minn. Stat. §13D.05, Subd. 3. The Meeting will be closed to allow the County Board to discuss with legal counsel the strategy related to:

A. Pending litigation, *Shopko v. Chisago County*

On motion by McMahon, seconded by Montzka and **carried unanimously** the Board closed the meeting and convened a closed session at 9:06 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

Following the closed session, the Chisago County Board of Commissioners reconvened the Meeting of the Whole. Pursuant to M.S. 13D.05, the following were present at the closed meeting: Commissioner DuBose, Commissioner Montzka, Commissioner Greene, Commissioner McMahon, Commissioner Robinson, County Attorney Reiter, Administrator Messelt, County Assessor Keefe, and Clerk to the Board Chase Burnham.

On motion by McMahon, seconded by Montzka, the Board moved to reconvene the meeting at 9:16 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose. Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by DuBose, seconded by Montzka, the Board moved to proceed as discussed in closed session. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Robinson, seconded by Montzka, the Board adjourned the meeting at 9:21 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

Richard Greene, Chair

Attest: _____
Chase Burnham
Clerk of the Board