

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, August 07, 2019**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, August 07, 2019 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, McMahon, Montzka, Robinson. Also present: County Attorney Janet Reiter, and *Interim* County Administrator/Clerk of the Board Chase Burnham.

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

Commissioner DuBose offered a motion to approve the amended agenda. Motion seconded by McMahon, 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 recess the Board of Commissioners meeting to the Health and Human Services Committee of the Whole. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

The Chair opened the Health and Human Services Committee of the Whole at 6:31 p.m.

Chair Greene gave the gavel to Vice-Chair Montzka.

Health and Human Services Director Monica Long provided the Board with the following Chisago County Health and Human Services Updates: Financial Services Overview, Income Maintenance Caseload Statistical Data, SNAP ME Review, MA Audit, SNAP Outreach, Fraud Prevention. *No action was taken.*

On motion by McMahon, seconded by DuBose, the Board moved items 1 – 5 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Greene, seconded by McMahon, the Board moved to close the Health & Human Services Committee of the Whole. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

The Chair closed the Health & Human Services Committee of the Whole.

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

- 1.) HHS Committee Recommendation – Director’s Report
- 2.) HHS Committee Recommendation – Payment of County’s Warrants for HHS
- 3.) HHS Committee Recommendation – Out of State Travel Request – Client Residential Treatment Visit, Salt Lake City, UT
- 4.) HHS Committee Recommendation – Citizen Review Panel (CRP) Grant Award 2019 – 2020
- 5.) HHS Committee Recommendation – Purchase of Samsung S4 Tablets
- 6.) Payment of County’s Warrants and Miscellaneous Bills
- 7.) Minutes from the July 17, 2019 Regular Meeting
- 8.) Applications for Abatements (reduction) of Property Taxes
- 9.) Increase to Change Fund – Recorder’s Office

**RESOLUTION NO. 19/0807-1
INCREASE THE CHANGE FUND**

WHEREAS, the Recorder has made a request to increase their Change Fund, and

WHEREAS, Minnesota Statutes 375.45 governs the establishment of a Change Fund for use in making change for customers.

NOW, THEREFORE, BE IT RESOLVED That the Chisago County Board of Commissioners approve the request to increase the County Recorder’s Change Fund to \$100.00. The funds for this will come from the 2019 Recorder’s operating budget.

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- 10.) Application for Exempt Permit – Wild River Chapter MN Deer Hunters

**RESOLUTION NO. 19/0807-2
APPROVING THE SUBMISSION OF AN APPLICATION TO CONDUCT A
RAFFLE FOR THE WILD RIVER CHAPTER - MINNESOTA DEER HUNTERS**

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 Lent Town Hall located at the 33155 Hemingway Ave., Stacy MN 55079.

On motion by DuBose, seconded by McMahon, the Board moved to appoint Frank Storm as a District 2 representative on the Board of Adjustment. 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 2019 LID General Engineering budget adjustment between Chisago County and Emmons & Olivier Resources, Inc. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

RESOLUTION NO. 19/0807-3
BUDGET ADJUSTMENT SUPPLEMENTING THE 2019 GENERAL SERVICES AGREEMENT
BETWEEN CHISAGO COUNTY AND EMMONS & OLIVIER RESOURCES, INC.
FOR THE CHISAGO LAKES LAKE IMPROVEMENT DISTRICT

WHEREAS, the County, pursuant to its authority under Minnesota Statutes 373.01 and 373.02, wishes to purchase such services from the Contractor so as to further the goals and objectives of Chisago County and the LID as previously set forth in the General Engineering and Administrative Services Agreement, dated December 19, 2018;

WHEREAS, the Contractor represents that it is duly qualified and willing to perform such services.

WHEREAS, the specified Activities, Service and Cost is outside the scope of the original General Engineering and Administrative Services Agreement.

NOW, THEREFORE, the County and Contractor agree to amend the existing General Engineering and Administrative Services Agreement as follows:

- (1) Amend 1.b. Cost of Agreement
Amend Cost of Agreement to increase contract amount by \$8,000.

Unless specifically modified by this or other duly executed Amendment(s), all terms and conditions of the existing General Engineering and Administrative Services Agreement apply to this agreement and shall govern all other terms and conditions shall remain in full force and effect.

On motion by Montzka, seconded by McMahon, the Board moved to approve and execute the Grant Agreement and approve the Resolution authorizing acceptance of the State of Minnesota Office of Justice Programs Grant by Chisago County Attorney and the Victim Services Program. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

**RESOLUTION NO. 19/0807-4
OFFICE OF JUSTICE PROGRAMS (OJP) GRANT**

WHEREAS, Chisago County, on behalf of the Chisago County Attorney, has applied for Victim Services Grant funds available through the State of Minnesota, Department of Public Safety, Office of Justice Programs, to support the statutorily mandated services, pursuant to Minn. Stat. 611A.

NOW, THEREFORE BE IT RESOLVED, by the Chisago County Board of Commissioners, Chisago County, Minnesota, as follows:

1. That Chisago County, for and on behalf of the Chisago County Attorney and the Victim Services Program, hereby approves and authorizes the receipt of grant funds, effective from the execution of the Grant Acceptance through September 30, 2021. The receipt of funds shall be for the operation of the Victim Services Program, consistent with State statutes and the guidelines implemented by OJP.

That the Chisago County Attorney, Janet Reiter, and/or Victim Services Coordinator, Wendy Stenberg, is authorized to execute and accept the grant award and the Victim Services Coordinator and/or the County Attorney are authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to access the resources, systems or tools available pursuant to that grant award.

On motion by Montzka, seconded by McMahon, the Board moved to approve the resolution approving the application for the cancellation of forfeiture. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

**RESOLUTION NO. 19/0807-5
CANCEL TAX FORFEITURE**

WHEREAS, the Chisago County Auditor-Treasurer has made an application for cancellation of forfeiture for the certificate of forfeiture filled on July 3, 2019 for tax parcel 13.11129.89, and

WHEREAS, it is in the best interest of the County to have the forfeiture certificate cancelled for said tax parcels and the property taxes reinstated and ownership returned to the rightful owner.

NOW, THEREFORE, BE IT RESOLVED That the Chisago County Board of Commissioners approve the cancellation of forfeiture application for the above noted tax parcels. The legal descriptions of the parcel is Lot 9, Block 3, White Stone.

On motion by McMahon, seconded by DuBose, the Board moved to approve the Law Enforcement Labor Services Licensed Deputy Labor contract as negotiated for the term of three (3) years commencing on January 1, 2019 and expiring on December 31, 2021. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

At 7:07 p.m., the Chair opened Citizen Forum. 0 Citizens spoke; the Chair closed Citizen Forum at 7:07 p.m.

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

Clerk of the Board announced that the Board will be closing the meeting to hold a Closed Session pursuant to Minnesota Statute 13D.05, the County Board of Commissioners may, by majority vote in a public meeting, decide to hold a closed meeting if the closure is expressly authorized by statute. Minnesota Statute §13D.05, Subd. 3 permits a meeting to be closed subject to a discussion with legal counsel which is protected by attorney-client privilege related to: Shopko Stores Operating Co. LLC v. County of Chisago. On motion by DuBose, seconded by Montzka and **carried unanimously** the Board closed the meeting and convened a closed session at 7:07 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. Minnesota Statute §13D.05, Subd. 3 (a) to a discussion with legal counsel, which is protected by attorney-client privilege. The Board of Commissioners discussed legal strategy related to: litigation in Shopko Stores Operating Co. LLC v. County of Chisago. The following were present at the closed meeting: Commissioners DuBose, Greene, McMahon, Robinson, Montzka, County Attorney Reiter, *Interim* County Administrator/Clerk of the Board Chase Burnham and County Assessor John Keefe.

On motion by Montzka, seconded by McMahon, the Board moved to reconvene the meeting at 7:26 p.m. 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 as directed in Closed Session. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka **OPPOSED:** Robinson.

On motion by McMahon, seconded by Robinson, the Board adjourned the meeting at 7:27 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