

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, August 21, 2019**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, August 21, 2019 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, McMahan, Montzka, Robinson. Also present: County Attorney Janet Reiter, and *Interim* County Administrator Chase Burnham, and *Interim* Clerk of the Board Christina Vollrath.

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 Montzka 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 6:31 p.m.

The Board was given updates on the following current projects of the Public Works Department from County Engineer Joe Triplett: Project Updates, Projects in design, Harris Shop Fuel Pumps, 2019 APWA Snow and Ice Conference and National Snow Rodeo Expo. *No action was taken.*

On motion by McMahan, seconded by Montzka, the Board moved to accept the Highway Engineer's Report and items 2-4 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

At 6:37 p.m., the Chair closed the Road and Bridge Committee of the Whole.

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

- 1.) Accept County Engineer's Report
- 2.) R&B Committee Recommendations: Equipment Expenditure Request – Harris Shop Fuel Pump System
- 3.) R&B Committee Recommendations: Out of State Travel Request - 2019 APWA Snow & Ice Conf., Loveland, CO
- 4.) R&B Committee Recommendations: Final Contract Payment CSAH 22 and 37 Hot-in-Place Recycling Program
- 5.) Approve Minutes from August 7, 2019 Meeting

- 6.) Payment of County's Warrants and Miscellaneous Bills
- 7.) Correcting Minutes from June 19th, 2019
- 8.) Applications for 1 Day to 4 Day On-Sale Liquor License – Franconia Sculpture Garden

Environmental Services and Zoning Director Kurt Schneider presented the Board with the following action items; Board of Adjustment and Planning Commission Update, Construction and Permit Activity, E.Coli Levels at Fish Lake Park Beach, Sunrise Prairie Regional Trail construction grant. *No action was taken.*

Chair Greene accepted the Director's Report.

On motion by McMahon, seconded by DuBose, the Board moved to approve the CLIMB Theatre Contract Agreement, for services to be performed at the September 19, 2019, Chisago County Children's Water Festival. 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 approve the Michael and Jessica Shepperd drainage and utility easement vacation request vacating the mutually shared drainage and utility easement located between Lots 5 and 6 of Vibo Shores; PID 02.00388.08 and 02.00388.09, and generally located at 12XXXX 352nd Street, as recommended by the Planning Commission. 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 the Jay Flodquist request for a Commercial Recreation Conditional Use Permit to allow helicopter rides departing annually from their property the weekend after Labor Day in Section 22, T. 35, R. 20 ; PID# 09.00275.00; and generally located at 38075 Nelson Avenue, with the Findings and Conditions as recommended by the Planning Commission. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

RECOMMENDED CONDITIONS:

1.
 - 1) This CUP allows helicopter rides to occur at the subject property on the weekend following Labor Day on Friday from 4 PM to 9 PM, Saturday from 9 AM to 9 PM, and Sunday from 9 AM to 9 PM.
 - 2) The maximum number of helicopters allowed is two.
 - 3) No overnight outdoor storage of helicopters onsite is allowed.
 - 4) The contracted helicopter Company selected by landowner must be licensed and insured as required by the State of Minnesota and Federal Aviation Association.
 - 5) The helicopter company is required to takeoff and land in a vertical flight pattern to reduce noise impacts to adjacent parcels.

- 6) 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 to verify compliance with CUP.
 - 7) The permit holder must notify the County annually that the activity permitted by CUP is ongoing, and the activities being conducted continue to adhere to the conditions of approval.
 - 8) Passengers need to be screened for firearms and explosives.
 - 9) Copy of the emergency plan shall be provided to county staff.
 - 10) R44 helicopters or comparable models that fall within similar decibels levels and are compliant with State noise standards are permitted.
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On motion by McMahon, seconded by Montzka, the Board moved to approve the Memorandum of Agreement between The Central MN Council on Aging and Chisago County. 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 County of Chisago State Health Improvement Program Grant Agreement – Community Ed Sports Equipment. 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 County of Chisago State Health Improvement Program Grant Agreement – WEI Market Platform. 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 County Veterans Service Office Operational Enhancement Grant Program Grant Agreement. 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 Grant Application as presented [and/or modified] at tonight’s meeting for “Monitoring Services. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

At 7:00 p.m., the Chair opened Citizen Forum. 3 Citizen spoke; the Chair closed Citizen Forum at 7:06 p.m.

On motion by Montzka, seconded by McMahon, the Board moved to recess the Chisago County Board of Commissioners meeting for 5 minutes at 7:06 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

The Chair reconvened the meeting at 7:12 p.m.

On motion by Montzka, seconded by McMahon, the Board moved to delay the Tiller Corporation Interim Use Permit decision, at the applicants request, until the October 16th or the November 6th Chisago County Commissioners meeting to allow for more time for Tiller and Sunrise Township to have additional meetings. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

Interim County Administrator provided the Board with an update regarding the Budget and Finance Committee Report.

On motion by McMahon, 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.

On motion by McMahon, seconded by DuBose, the Board moved to approve the State Of Minnesota Human Trafficking Investigators Task Force Joint Powers Agreement. 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 and adopt the Findings of Fact, Conclusions of Law and Recommendations of the Office of Administrative Hearing regarding ‘In the Matter of the Potentially Dangerous Dog of Chelsie and Donald Zak’; and to require the dog owners, Chelsie and Donald Zak, to: (1) Arrange for the Dog to be Microchipped; (2) Provide proof of vaccinations; (3) Post Notice of presence of Potentially Dangerous Dog at the front and back of property; (4) Successfully complete an approved dog obedience class; (5) Maintain the potentially dangerous dog in an approved enclosure or leash/chain not to exceed 40 feet. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka **OPPOSED:** Robinson.

On motion by McMahon, seconded by DuBose, the Board moved to deny the Human services employee request for an extended leave of absence for up to an additional 12 weeks. 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 Work Number Participation Agreement, subject to the County Attorney’s approval. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

Interim County Administrator Burnham provided the following updates: correspondence. *No action was taken.*

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

On motion by Robinson, seconded by Montzka, the Board adjourned the meeting at 7:55 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

Richard Greene, Chair

Attest: _____
Chase Burnham
Clerk of the Board