

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, September 18, 2019**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, September 18, 2019 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, McMahan, Montzka, Robinson. Also present: Assistant County Attorney Jeff Fuge, 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 also removing item 21. Motion seconded by DuBose also moving items 22 and 23 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 6:32 p.m.

The Board was given updates on the following current projects of the Public Works Department from County Engineer Joe Triplett: Highway Engineer's Report; MNDOT Easement Acquisition from Chisago County Regional Rail Authority. **No action was taken.**

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

At 6:39 p.m., the Chair closed the Road and Bridge Committee of the Whole.

On motion by DuBose, seconded by Montzka, 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: Easement Acquisition from Regional Rail Authority

**RESOLUTION 19/0918-1
MNDOT EASEMENT ACQUISITION FROM CHISAGO COUNTY REGIONAL
RAIL AUTHORITY**

WHEREAS, The Minnesota Department of Transportation (MNDOT) is planning an improvement project on TH 61 from the County Line to I-35 in Chisago County; and

WHEREAS, the Project requires permanent easement in the construction area, temporary easements in seven areas along the construction area a permanent drainage easements; and

WHEREAS, Chisago County wishes to cooperate with MNDOT to complete this improvement project;

NOW, THEREFORE, BE IT RESOLVED that the Chisago County Board of Commissioners, meeting as the Chisago County Regional Rail Authority, authorizes and approves of the conveyance of a permanent easement and other rights to the State of Minnesota, in consideration of Fourteen Hundred dollars (\$1400.00), to be paid by the State of Minnesota, Department of Transportation, of lands described, as follows:

All of the following:

That part of the East Half of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 19, Township 33 North, Range 21 West, the West Half of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 20, Township 33 North, Range 21 West, the Northwest Quarter of the Northwest Quarter, the East Half of the Northwest Quarter and the West Half of the Southeast Quarter of Section 29, Township 33 North, Range 21 West, the West Half of the Northeast Quarter, the West Half of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 32, Township 33 North, Range 21 West, shown as Parcel 17 on Minnesota Department of Transportation Right of Way Plat Numbered 13-19, 13-20, 13-21, 13-22, 13-23, 13-24 and 13-25 as the same are on file and of record in the office of the County Recorder in and for Chisago County, Minnesota;

containing 737 square feet, more or less;

together with other rights as set forth below, forming and being part of said Parcel 17:

Drainage Easement:

A drainage easement in perpetuity as shown on said plats as to said Parcel 17 and designated as a drainage easement;

containing 6756 square feet, more or less.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat 13-25 as to said Parcel 17 by the temporary easement symbol, said easement shall cease on December 1,

2022, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

RESOLVED, that the Chisago County Board of Commissioners, meeting as the Chisago County Regional Rail Authority, does hereby approve the acquisitions and authorizes the appropriate parties to sign the documents.

- 3.) Minutes from September 4, 2019 Board Meeting
 - 4.) Payment of County's Warrants and Miscellaneous Bills
 - 5.) Application for an Exempt Gambling Permit – East Central Friends of NRA
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**RESOLUTION NO. 19/0918-2
APPROVING SUBMISSION OF AN EXEMPT PERMIT FOR GAMBLING FOR
THE EAST CENTRAL FRIENDS OF NRA**

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 application for an exempt permit for lawful gambling activity for the East Central Friends of NRA, located at the Lent Town Hall located at 22050 Hemingway Ave., Stacy, MN 55079.

- 6.) Acceptance of a Donation – Polaris Industries, Children's Water Festival
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**RESOLUTION NO. 19/0918-3
ACCEPTANCE OF DONATION BY CHISAGO COUNTY
ON THE BEHALF OF THE CHISAGO COUNTY CHILDREN'S WATER
FESTIVAL**

WHEREAS, the Chisago County Board of Commissioners adopted Resolution No. 060419-3 on April 19, 2006 which established a policy regarding the acceptance of gifts by Chisago County; and

WHEREAS, the Chisago County Children's Water Festival has received a donation from Polaris Industries and are requesting formal acceptance by the County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that the Chisago County Board of Commissioners hereby accepts;

- \$500.00 for Children’s Water Festival from Polaris Industries

Environmental Services and Zoning Director Kurt Schneider presented the Board with the following action items; Director’s Report; Zoning Ordinance “Home Occupation” Amendment; Solar Administration Permitting and Review Policy; Duane McCall’s Final Plat to be known as “North Rush Shores.” *No action was taken.*

Chairman Greene accepted the Director’s Report.

On motion by DuBose, seconded by McMahon, the Board moved to Direct and Authorize the Chisago County Planning Commission Carryout Formal Public Hearing and Review of the Chisago County Zoning Ordinance in Consideration of the Home Occupation Provisions with a limit of 15 Employees. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka **OPPOSED:** Robinson.

At 7:16 p.m., the Chair opened Citizen Forum. 1 Citizen spoke; the Chair closed Citizen Forum at 7:21 p.m.

The Chair reconvened the meeting at 7:21 p.m.

On motion by DuBose, seconded by McMahon, the Board moved to Direct and Authorize the Chisago County Planning Commission Carryout Formal Review and Adoption of a Solar Administration Permitting and Review Policy as Drafted and/or Amended at Tonight’s Meeting with provisions of policy statement incorporated into the ordinance, address setbacks of 735 feet from County and State roads, and limiting solar gardens to one per parcel or adjacent parcel owned by the same owner. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon **OPPOSED:** Montzka, Robinson.

On motion by Robinson, seconded by Montzka, the Board moved to approve the final plat of “North Rush Shores” in Nessel Township, Sec. 11, T.37, R.22, at Rush Lake Trail and Belle Isle Drive. 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 County of Chisago State Health Improvement Program Grant Agreements for Family Pathways Chisago City Food Shelf and North Branch Food Shelf and North Branch Community Education – Pickleball. 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 Michelle Schopper to travel to Connecticut to provide targeted case management services to a client residing in a specialized facility. 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 Minnesota Department of Health Community Health Board Grant Project Agreement. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

The County Board of Commissioners held a discussion on One Watershed One Plan – Joint Power Arrangements.

On motion by McMahon, seconded by DuBose, the Board moved to approve the grant for Radiological Emergency Preparedness. 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 2020 Towards Zero Deaths Enforcement Grant. 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 purchase of 6 laptops for the Chisago County Jail for inmate programming. 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 request of hiring a full time Truancy Probation Officer as presented [and/or modified] at tonight's meeting for the Court Services Department. 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 Greene, the Board moved to *approve by Board Resolution the Chisago County Preliminary 2020 Levy and Annual Budget, as modified at tonight's meeting; to include:*

- A 2020 Preliminary County Levy of \$39,596,553**
- A 2020 Proposed Annual Budget with Expenditure of \$73,716,848**
- Establishment of Wednesday, December 4th, 2019 at 7:00 PM as the date and time required for public review of and comment on the Proposed 2020 Annual Budget & Final 2020 Levy**

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

**RESOLUTION NO. 19/0918-4
ADOPTING THE CHISAGO COUNTY
PRELIMINARY BUDGET AND LEVY FOR 2020**

WHEREAS, pursuant to Minn. Stat. Sec. 275.065, the Chisago County Board of Commissioners must certify to the County Auditor the proposed tax levy for taxes; and

NOW BE IT RESOLVED, that the Chisago County Board of Commissioners have moved to adopt the recommended *Preliminary Levy* for 2020 of \$39,596,553, an 5.75% increase over the 2019 levy, with overall 2020 expenditures of \$73,716,848;

NOW THEREFORE BE IT FURTHER RESOLVED, that the Chisago County Board of Commissioners hereby establishes Wednesday, December 4th, 2019 at 7:00 PM as the date and time for public review of and comment on the proposed *Final 2020 Levy and Annual Budget*.

On motion by McMahon, seconded by Montzka, the Board moved to approve to appoint current *Interim County Administrator Chase Burnham as Chisago County's Responsible Authority*. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

**RESOLUTION NO. 19/0918-5
APPOINTMENT OF A RESPONSIBLE AUTHORITY**

WHEREAS, the Minnesota Government Data Practices Act (MGDPA) creates a presumption that all local government records are accessible to the public; and

WHEREAS, Minnesota Statutes, section 13.02, subdivision 16, requires that Chisago County appoint an employee as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the county; and

WHEREAS, because former Chisago County Administrator Bruce Messelt has taken a new position in Sherburne County, it is no longer feasible for him to provide those services for Chisago County; and

NOW THEREFORE BE IT RESOLVED, the Chisago County Board of Commissioners hereby appoints Chase Burnham, County Administrator, as the Responsible Authority for Chisago County for the purpose of meeting all requirements of Minnesota Statutes, chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration.

On motion by Montzka, seconded by McMahon, the Board moved to approve the Chisago County Human Resources Director to move HHS Director Monica Long to Step 8 of Grade 34 effective upon reaching the end of her probation date. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson **OPPOSED:** DuBose.

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 McMahon, the Board adjourned the meeting at 9:06 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

Richard Greene, Chair

Attest: _____
Christina Vollrath
Interim Clerk of the Board