

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, November 06, 2019**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, November 06, 2019 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, McMahon, Montzka, Robinson. Also present: County Attorney Janet Reiter, *Interim* County Administrator Chase Burnham and *Interim* Clerk of Board Christina Vollrath.

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

Commissioner DuBose offered a motion to approve the 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 Community Health Board and 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 Community Health Board and Health and Human Services Committee of the Whole at 6:30 p.m.

Chair Greene gave the gavel to Vice-Chair Montzka.

Community Health Services Administrator Courtney Wehrenberg provided the following updates of the Community Health Board: Community Health Improvement Plan Update; update on the SHIP program. *No action was taken.*

On motion by McMahon, seconded by DuBose, the Board moved to approve Community Health Board report and approve items 1-3, move items 1-13 (not item 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 Community Health Board and HHS Committee Board of the Whole at 7:00 p.m.

At 7:00 p.m., the Chair opened Citizen Forum. 1 Citizen spoke; the Chair closed Citizen Forum at 7:02 p.m.

On motion by DuBose, seconded by McMahon, the Board moved to approve the Consent Agenda with item #5 pulled and item #16 pulled to amend. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

- 1.) Community Health Board Recommendation – Community Health Board Report
- 2.) Community Health Board Recommendation – 2019-2023 Community Health Imp. Plan
- 3.) Community Health Board Recommendation – Contract with Public Health Accred. Board
- 4.) HHS Committee Recommendation – Payment of County’s Warrants for HHS
- ~~5.) HHS Committee Recommendation – SomePlace Safe Agreement~~
- 6.) HHS Committee Recommendation – TriMin System Service Agreement
- 7.) HHS Committee Recommendation – MFIP & DWP Prog. Provider Agmt with CMJTS
- 8.) HHS Committee Recommendation – MN Dept. of Health Local Public Health Grant Agmt.
- 9.) HHS Committee Recommendation – Prof/Tech Contract with Amy Anderson, M.D.
- 10.) HHS Committee Recommendation – Local SHIP Grants (7 total grants)
- 11.) HHS Committee Recommendation – Child and Teen Checkup Amend. No. 2
- 12.) HHS Committee Recommendation – Out of State Travel Request - Connecticut
- 13.) HHS Committee Recommendation – First Amend. To the contract with Family Pathways
- 14.) Payment of County’s Warrants and Miscellaneous Bills
- 15.) Minutes from the October 16, 2019 Regular Meeting

On motion by DuBose, seconded by Montzka, the Board moved to amend item #16 and to approve the Conveyance of Tax Forfeited Land to MnDOT. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

RESOLUTION NO. 19/1106-1
CONVEYANCE OF TAX FORFEITED LAND TO MNDOT

WHEREAS, the Minnesota Department of Transportation has submitted a request for tax forfeited parcels 13.00654.00 and 13.00655.00 to be conveyed to MnDOT for an authorized public purpose under M.S. 282.01, subdivision 1a, paragraph (f),

WHEREAS, M.S. 282.01, subdivision 1a, paragraph (f) authorizes conveyance, with County Board approval, of tax forfeited land to a local government subdivision if

they certify to the Board that prior to forfeiture the government subdivision was entitled to the parcel under a written development agreement.

NOW THEREFORE BE IT RESOLVED, that the Chisago County Board of Commissioners approve the conveyance of tax forfeited parcels 13.00654.00 and 13.00655.00 for an authorized public use to the Minnesota Department of Transportation pursuant to M.S. 282.01, subdivision 1a, paragraph (f).

Chair Greene called for a public hearing appointing the County Auditor-Treasurer Position according to MN Stat. 375.A.1205 at 7:03 p.m. 0 people spoke at the public hearing. Chair Greene closed the public hearing at 7:04 p.m.

On motion by Robinson, seconded by McMahon, the Board moved to approve creating a contract with outgoing County Auditor-Treasurer Dennis Freed, to create an appointed position of County Auditor-Treasurer in Chisago County. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Robinson **OPPOSED:** Montzka.

Mr. Jim Accurso from the US Census Bureau presented to the Board of Commissioners regarding the US Census Complete Count Committee

On motion by McMahon, seconded by DuBose, the Board moved to approve the above resolution establishing the 2020 Chisago County Census Complete Count Committee and to send the County's Commitment Letter. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

**RESOLUTION NO. 19/1106-2
CREATION OF THE 2020 CHISAGO COUNTY COMPLETE COUNT
COMMITTEE**

WHEREAS, the U.S. Census Bureau is required by the United States Constitution to conduct a count of all persons; and

WHEREAS, the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count; and

WHEREAS, the Chisago County Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community; and

WHEREAS, the Chisago County Complete Count Committee will work with the Census Bureau and the State of Minnesota to strive for an accurate count.

NOW THEREFORE, BE IT RESOLVED that Chisago County establishes a 2020 Census Complete Count Committee.

On motion by Robinson, seconded by McMahon, the Board moved to approve the Swedish Immigrant Regional Trail Segment H plans and specifications and authorize the advertisement and solicitation of construction bids. 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 a December 31, 2021, two (2) year extension addendum to the Nystrom Publishing production of the Chisago County Environmental Connections Newsletter. 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 Tiller Corporation Interim Use Permit to authorize extraction of sand and gravel, crushing, screening, stockpiling, hauling, and reclamation activities on 10.6 acres of a 31.5 acre site in Sunrise Township, Section 4, T. 35, R.20 at 12956 River Road (PIDs #09.00027.00, 28, 29) with Findings and Conditions as recommended by the Planning Commission, but with Finding #2 adjusted to state: And Condition #38 amended to state:

2. Will the use will create an excessive demand on existing parks, schools, streets, and other public facilities and utilities that serve or are proposed to serve the area? No, provided that an updated road maintenance and dust control plan is put in place as an appropriate mitigation measures. The use will not create demands on parks or schools. The use will utilize local roadways and the applicant does not expect the traffic on local roadways to increase compared to current traffic with the addition of the Project Site to the Comprehensive Mining Area. In developing this finding the County further finds:

- (1) That pursuant to Ordinance Sections 7.27 E. 2. h. and i. and 8.04-1, E. 12, the County Board has the responsibility to impose appropriate mitigation measures as necessary to protect the public interest in public roads serving the mining operation.*
- (2) There is a public interest to protect River Road from being burdened by potential degradation or deterioration that may result from the expansion of the mining operation and that there is a need to impose appropriate mitigation measure to protect that public interest.*
- (3) That public comment contained in the record asserts that Tiller has not been cooperative in being responsive to issues concerning the condition of the road caused by hauling.*
- (4) That Tiller has acknowledged at the Planning Commission public hearing that it failed in the past to comply with the existing road*

maintenance and dust control plan and that it would be willing to negotiate a new agreement to resolve outstanding matters.

- (5) The present road maintenance and dust control plan falls short of the purpose of the County Zoning Ordinance to provide for and protect the public health, safety, and general welfare specifically in the method in which Tiller addresses impacts and complaints concerning off-site hauling, as required in Section 7.27 E. 2. h. and i. of the ordinance.*
- (6) That the County Board does not have the authority to require additional updates or improvements to River Road and that the County has no way to ensure the protection in the public interest that River Road remain in good repair without a condition for an updated road maintenance and dust control plan that provides for, at a minimum, monitoring of truck traffic on an annual basis and for road maintenance, repairs or improvements as the Town of Sunrise may determine appropriate as town road authority.*
- (7) That an updated plan is an appropriate mitigation measure that balances the public interest for protection of the public road with those goals contained in the County's comprehensive plan to recognize sand and gravel as an important local and an increasingly desirable export commodity that is vital to the local economy.*

And further finding that with adherence to the proposed conditions that incorporate this finding, the Project will not create excessive demands on streets and other public facilities and utilities that serve the area.;

And Condition #38 amended to state:

38. The permittee establishes and places on file, before commencement of mining activity on the subject expansion area, an updated road maintenance and dust control plan that provides for, at a minimum, monitoring of truck traffic on an annual basis and for road maintenance, repairs or improvements as the Town of Sunrise may determine appropriate as town road authority.

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

On motion by McMahan, seconded by Montzka, the Board moved to accept the Human Resources Update from July 1, 2019 to September 30, 2019. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

On motion by McMahan, seconded by DuBose, the Board moved to approve the leasing of two 2020 vehicles, 2020 Chevrolet Malibu and 2020 Chevrolet Equinox. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahan, Montzka, Robinson **OPPOSED:** None.

On motion by McMahon, seconded by Montzka, the Board moved to approve advertising for bids for the County's official publication for 2020-22. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

On motion by Robinson, seconded by DuBose, the Board moved to approve the Public Work's Department request to purchase equipment; 4 tandem snow plows, a dozer, and a 1-ton pick-up truck. 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 East Central Drug and Violent Offender Task Force Joint Powers 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 agreements to provide Law Enforcement Services for the cities of Taylors Falls, Shafer, Center City, Stacy, Harris, and Rush City. 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 Amendment to the Fiscal Year 2020 Joint Powers Agreement between the State of Minnesota, acting through the Department of Corrections, and Chisago County, to increase the maximum allowed reimbursement of County Attorney's Office fees from \$8,000 to \$23,000 for prosecution/investigation expenses resulting from activities involving inmates at MCF – Rush City." The motion carried as follows: **IN FAVOR THEREOF:** DuBose, Greene, McMahon, Montzka, Robinson **OPPOSED:** None.

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 8:08 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