

Park Policy Manual



Approved: November 21, 2007

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PREFACE

The Chisago County Parks Department has just completed its 40th year. In 1967 the Chisago County Land and Conservation Commissioners were directed to prepare an outdoor recreational plan for the County. The Parks system is growing slowly, however with the county population growing at approximately 25%, the Park Board expects park use and demands to continue to exceed supply. This statement will update and provide invaluable assistance to the Park Board, staff and general public in the acquisition, development and operation of the system.

The underlying principles and concepts of the 1972 Policy Statement are generally as appropriate today as they were 35 years ago. The department is still interested in acquisition and development of park facilities, however, now a new emphasis on greenways, linear corridors and connecting facilities in the cities, towns and state needs attention as well.

In addition, public policy reflects other change in focus, change in the climate in which the department operates; including intergovernmental relationships, growing environmental concerns, and broadening and changing patterns of leisure. Of equal importance is the recognition of the nation-wide concern for the economy. As a result the responsibility has been thrust upon all governmental agencies to examine and reaffirm their goals, and make greater efforts to provide necessary and desirable services in the most effective and efficient manner.

This Policy Statement reaffirms the department's purpose under Minnesota Statutes, Chapter 398 and is built upon concepts of the 1972 Policy Statement. Its major purpose is to refine and broaden those principles which the Parks Division will follow in the orderly continuation of governance, financing, planning, acquisition, development and operation of the County's system of parks. A statement of policy is, of course, not an immutable law, but establishes guidelines for administrative procedures and decision making now and in the future.

In addition, procedure manuals for main park functions have been constructed to assist the county in orderly operation in the event that a transition in staff occurs.

RESOLUTION NO. 071121-1

WHEREAS, the Board of Commissioners of Chisago County is charged under Minnesota Statutes, Chapter 398, with the responsibilities for acquisition, development, and maintenance of large parks, wildlife sanctuaries, historic sites, forests and other reservations, and means for public access to lakes, rivers, and streams, and to other natural phenomena for the benefit and use of the citizens of Chisago County; and

WHEREAS, in 1972 the Board of Commissioners adopted a Policy Statement for direction and guidelines essential to the proper implementation of said responsibilities; and

WHEREAS, the 1972 Board of Commissioners requested that future Boards alter, amend, change, delete, or add to said Policy Statement only after careful consideration and study and only upon the agreement and input of the Park Board; and

WHEREAS, changing intergovernmental relationships, growing environmental concerns, broadening and changing patterns of leisure and the county's increasing operations of the parklands it has acquired for public use have prompted the Board of Commissioners to review the County's Policy Statement; and

WHEREAS, the Board of Commissioners of the Chisago County, after careful study and consideration with full cooperation and assistance of, and after drawing on the experience of forty years of operations of said department, has compiled a revised Policy Statement for the guidance of this Board, future Boards and staffs;

NOW, THEREFORE, BE IT RESOLVED, that this Park Policy Manual is hereby adopted by the Board of Commissioners of Chisago County, and that such Policy Statement constitutes the general policy framework under which the Board will exercise its authority and responsibility; and

BE IT FURTHER RESOLVED, that this Board hereby requests future Boards to alter, amend, change, delete or add to said Park Policy Manual only after careful consideration and study by all members of the Park Board and Board of Commissioners.

Adopted this 21st day of November, 2007.

Signature: _____

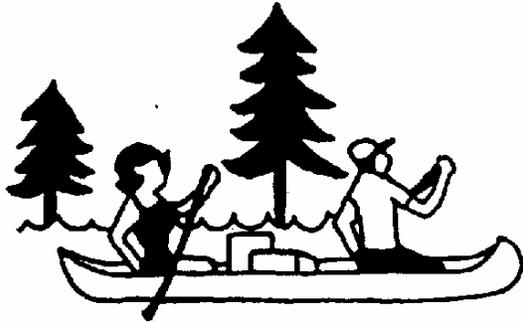
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Chisago County Board Chair

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PURPOSE OF THE PARKS DEPARTMENT

The Chisago County Parks Department was created in 1967, pursuant to Minnesota Statutes, Chapter 398, legislation enabling the creation of

county parks. The primary duty of park boards, pursuant to Minnesota Statutes, Chapter 398, is "not the establishment of parks and playgrounds of a local or neighborhood type but rather the acquisition, development and maintenance of large parks, wildlife sanctuaries, forest and other reservations, and means for public access to historic sites and to lakes, rivers, streams, and to other natural phenomena."

The County shall preserve and protect open space to provide the people of Chisago County with outdoor recreation opportunities in accordance with Minnesota Statutes, Chapter 398.

I. FORM OF GOVERNMENT

Since it was created, pursuant to Minnesota Statutes, Chapter 398, the Chisago County Parks Department has operated as an independent department under the Chisago County Board of Commissioners, was merged with Public Works in 1989 and was placed under the auspices of the County Administrator in 1993. In 2006 the Parks Department was placed under the Department of Environmental Services/Zoning where Parks remains in the county structure.

II. ROLE IN INTERGOVERNMENTAL AFFAIRS

The County is governed by other laws, passed subsequent to Minnesota Statutes, Chapter 398, pertaining to its responsibilities in relation to other governmental units.

Pursuant to legislation passed in 1963, the County Parks Department submits its annual operation budget to the Chisago County Board of Commissioners for levy of necessary taxes.

The County has entered into cooperative agreements with various other units of government for the purpose of working together to achieve common objectives. In 1989, the County entered into a joint powers agreement with the Cities of Lindstrom, Chisago and Center City for the development of Ki-Chi-Saga Park to be built in Chisago Lakes Township and serve citizens of Chisago County.

- A. **Relationship with Chisago County Board of Commissioners:** The Park Board shall make recommendations for plans, projects and expenditures to the Chisago County Board of Commissioners to ensure quality county parks and recreation services for the citizens of Chisago County.

- B. **Intergovernmental Cooperative Agreements:** Intergovernmental Cooperative Agreements for the governance, planning, acquisition, development, financing, and operations of appropriate parklands shall be pursued to ensure sufficient parkland for citizens of Chisago County, and to promote and ensure cooperation and coordination between governmental units towards parkland goals, both at the local and regional levels.

The Chisago County Board of Commissioners adopted a Parks & Trails Land Acquisition and Development Funding Policy in February, 2007. (See Appendix A). The intent of the policy is to provide systematic and fair treatment of funds collected under Minnesota Statutes 394.25.

- C. **Local Agency Relations:** In the planning and operation of county parks, facilities, and programs, the County shall cooperate with municipalities and other political subdivisions. The County will keep these governmental units informed and seek their input in County matters of local significance, and encourage reciprocal action with regard to matters which have the potential for affecting the County.
- D. **Role in Intergovernmental Affairs:** In addition to these legally mandated and formally agreed upon intergovernmental relationships, the County is also cognizant of the importance of its relationships with other governmental units as related to County responsibilities. While always keeping the County's interests in the forefront, and responsibly protecting the public's investment in County parkland, the County Board seeks to cooperate with other governmental units in the accomplishment of common goals. In recognition of the County's primary intergovernmental relationships, these policies are adopted.

III. POLICIES FOR ESTABLISHMENT OF THE SYSTEM

In planning for a system of parks, policies are necessary to ensure that the purpose of the system is kept in the forefront and that the acquisition, development, and maintenance of elements of the system are accomplished in an orderly and uniform manner. The attempt will be made to balance both recreation opportunities and environmental concerns within the County system of parks. To accomplish this, it has been recognized by the County Board that a diversified and comprehensive system of parks, outdoor recreation facilities, and services is necessary.

A parkland classification system has been developed, including park reserves, county parks, county trail corridors, historic parks and special use sites. The park reserve is the key element in the system in that these areas ensure the preservation of natural resources for the enjoyment of present and future generations. The other elements of the system serve to protect the park reserves by providing areas for intensive and special recreation uses.

- A. **Balanced System**: The County will endeavor to create an equitable distribution of park resources and facilities designed to serve the outdoor recreation needs and interests of all Chisago County residents, taking into consideration existing and planned local, regional, state and privately-owned park resources and facilities within and impacting on its jurisdiction so as not to unnecessarily duplicate the efforts of other agencies.
- B. **Needs and Interests**: The planning, acquisition, development, and operations of the County shall reflect the changing outdoor recreation needs and interests of the people.
- C. **Parkland Classification**: All parklands which are, or shall become, a part of the system, shall be classified as follows:
 - 1. **Park Reserves**: Park Reserves provide large areas containing representative natural resources for the purposes of conservation and the outdoor recreational use of the public. The minimum site size is 150 acres with a desirable size being 1,000 acres or more. As a legacy to future generations, a minimum of 80 percent of the area shall be restored to and retained in a natural state as a viable entity. No more than 20 percent of the area may be impacted by development for active use.
 - 2. **County Parks**: County Parks provide a diversity of resources, contiguous to or including water resources that can accommodate a wide variety of compatible intensive outdoor recreation uses. The minimum site size is 25 acres of land with a preferable size of 100 or more acres of land. County parks may be almost entirely developed for recreation use, while maintaining sufficient natural area to ensure quality outdoor recreational experiences.
 - 3. **County Trail Corridors**: County trail corridors provide linear parkland in which multiple trail uses may occur. Trail corridors are located along either natural or built features, and should be of sufficient width to enhance the recreational enjoyment and safety of users. Wherever possible, natural features may be acquired as a means for protecting the natural environment.
 - 4. **Historic Parks**: Historic parks provide areas for the preservation, authentic presentation and interpretation of elements of historical, archaeological or paleontological significance. Each historic park should contain sufficient land to preserve all significant features and additional lands for compatible outdoor recreation activities.
 - 5. **Special Use Sites**: Special use sites provide needed county and regional recreation services that are not integral to the park reserves, county parks,

or trail corridors, have a limited or specific purpose. The factors of public demand, public support, financial feasibility -- capital and operating, county-wide or regional significance and the inherent recreation or cultural aspects of the project shall be investigated or cultural aspects of the project shall be investigated before such a project is undertaken. Special use sites require only the high quality resource base necessary for the intended use. They may occur within county parkland or separately.

IV. COUNTY FINANCE POLICIES

- A. **County Park Finance Policies**: The citizens of Chisago County have assumed primary financial responsibility for the acquisition, development, and operations of the County Parks Department. Pursuant to the County's enabling legislation, taxes levied on property within Chisago County have been the County's main source of operating funds. The Parks Department, as a division of the County Environmental Services/Zoning, annually submits to the Chisago County Board of Commissioners its operating budget for review and levy of necessary taxes. Operating funds will be supplemented by revenue derived from reservation fees, parking fees and charges, and donations.

With regard to capital funds, the department relied on its park funds acquired through the land subdivision process, with assistance from Federal and State grant programs. Another source added in 1988 was revenue from sale of tax forfeit and surplus lands when appropriate. Dedication of county lands have also contributed significantly meeting departmental park land acquisition goals.

The Parks Department's growth has also utilized interlocal cooperative agreements with area municipal governments to fund development. Increased emphasis will be placed on fees and charges and other innovative means for generating revenue.

- B. **Fees and Charges**: As a publicly financed park system, the county shall provide some elements of service free to the public. However, fees and charges are considered to be a responsible and necessary means to supplement tax revenue and regulate park use where appropriate. Revenue from this source shall be supplemental to, or act to subsidize current budget insufficiencies.

The following types of fees and charges for park operations and services are considered appropriate:

- ✓ User Fees
- ✓ Parking
- ✓ Special Services
- ✓ Merchandise Resale

✓ Recreation and Interpretive Program Fees

Consideration of available county resources, public need and public acceptance shall be the basis for establishing fees and charges. In cases where certain areas and facilities are highly specialized by activity and design and appeal to a select user group, the department shall also take into account fees charged by private operators of competitive services.

The Park Board may approve exceptional fees or fee waivers upon determination that such fee arrangements will provide benefits in the public interest.

C. **Park Funding.**

1. **Capital Improvements Funding:** A combination of funding sources including taxes levied, subdivision fees, Federal and State grant programs will be used for capital improvements.
2. **Supplemental Funding:** The department shall pursue other available funding sources as appropriate for carrying out its capital and operating programs, including both public and private sources.
3. **Donations:** Donations of personal and real property shall be encouraged and accepted if consistent with the overall plans and in the interest of the department and consistent with Policy Nbr. 2007-4: Chisago County Acceptance of Gifts Policy (Appendix E). Where applicable, the department will make available the opportunity for donors to include a stipend creating a perpetual trust for the continued care and maintenance of the gift. Monetary contributions will also be encouraged. Gifts which are not consistent with the overall plans of the Department may be accepted by the Board if they benefit the Department by production of income or in the case of land, may be used for trade or sale and are consistent with Policy Nbr. 2007-4: Chisago County Acceptance of Gifts Policy .
4. **Parks & Trails Foundation:** The Board recognizes the value and encourages the development of park foundations and other philanthropic efforts to advance the purposes of the Department and recreation open space system.

V. PARK PLANNING

The Park Board is committed to the systematic planning of all Chisago County Park areas and facilities through a comprehensive planning process. A comprehensive County Parks and Trails Plan is intended to ensure the consistency of parkland development with system-wide goals and objectives of the County.

- A. **Comprehensive Parks and Trails Plan:** Parklands shall be acquired, developed, and operated in accordance with an approved comprehensive plan. All changes to the plan shall be reviewed and approved by the Park Board. The Park Board will make recommendations on revisions to the comprehensive plan to the County Board. The County Board will hold a public hearing on proposed changes and approve or deny the proposed changes. Opportunity for review of the comprehensive plan by affected political subdivisions will be provided.
- B. **Park Boundaries:** To protect parkland from undesirable encroachments or negative environmental impacts, park boundaries, wherever possible, shall coincide with natural or existing features such as roads, water bodies, topography or vegetation. Where this is not the case, poles marking the boundaries will be set.

VI. LAND ACQUISITION POLICIES

The Board of Commissioners shall seek to acquire suitable resources to meet the County purposes as outlined in the legislative direction provided in Minnesota Statutes, Chapter 398. Also, pursuant to Chapter 398, the County will notify and obtain the consent of an incorporated city to acquire by purchase or condemnation land which is located within its boundaries. When acquiring property it is the preference of the Park Board to work with owners for the mutual benefit of both parties. The County will also endeavor to acquire land by donation, gift, or devise.

Negotiations for the acquisition of lands shall be based upon appraisals by qualified appraisers. The attempt shall be made to acquire land by direct negotiations, except in extreme cases to clear title or where negotiations have reached an impasse. Where consistent with master plans various provisions of occupancy and/or other interim use provisions may be offered when acquiring property.

Any land offered as a gift, devise or otherwise may be accepted if it is compatible with the overall Park system and if it is devoid of limiting conditions except those consented to by the Park Board and Board of Commissioners.

VII. NATURAL RESOURCES MANAGEMENT

The County system of parks has been designed to protect and preserve natural settings while at the same time satisfying the public demand for outdoor recreation opportunity. In order to preserve natural areas in perpetuity, and yet make them accessible to general public, an active program of natural resources management, rather than an attitude of passive protection is necessary. Natural resources management practices may also be necessary as a means of protecting the health and safety of the public.

The primary goal of natural resources management efforts is to restore, preserve, and protect natural resources and native wildlife populations, consistent with parkland classification.

- A. **Landscape Restoration and Management:** The County will preserve parklands consistent with parkland classification. Appropriate management techniques shall be utilized to restore and maintain native habitat, including native prairie, woods, and wetlands.
- B. **Wildlife Propagation and Management:** The County will provide for preservation of native wildlife within its holdings consistent with parkland classification. Appropriate management techniques shall be utilized to restore and maintain selected wildlife populations.
- C. **Resource Planning and Management Categories:** Overall parkland management shall be accomplished in accordance with the following resource planning categories:
 1. *Active Use Areas* have high recreational potential and represent those areas where the most extensive and intensive recreational development and use will occur. The goal of natural resources management shall be to provide a natural setting which is safe, attractive, and can withstand intensive recreational use within planned capacities so as not to be detrimental to the natural resource. These areas may include the 20 percent area of a park reserve, areas as appropriate within historic parks and essentially all of county parks, trail corridors, and special use sites.
 2. *Natural Areas* have high potential for restoration to a native condition. The goal of natural resources management shall be to restore and maintain the natural environment. Natural processes and change shall be allowed to take place insofar as is desirable.

Acceptable land and wildlife management practices may be used to recreate, maintain, or preserve the natural setting and native wildlife populations, or to protect the health and safety of the public. Plants native to this area should be used whenever possible; however, non-native plantings may be necessary for providing buffer, erosion, control, and creating special wildlife habitat. These areas include the 80 percent of a park reserve and may be included in other parkland classifications.
 3. *Environmental Preservation Areas* are sensitive ecological areas where development is prohibited, except in selected, less sensitive areas where trails may be permitted for primarily interpretive and educational purposes. Natural processes and desirable ecological change should be

allowed to take place, except where management techniques must be utilized to mitigate human influence. These areas occur primarily in park reserves, but may also occur in other parkland classifications.

4. *Wildlife Sanctuaries* are areas specifically designated for purposes of restoring or maintaining selected native wildlife. They include refuges established for propagation purposes, and plantings established for purposes of ensuring sufficient cover and food. These areas occur primarily in park reserves, but may also occur in other parkland classifications.

VIII. RECREATION USE POLICIES

The parklands of the County have been set aside for the recreational and educational enjoyment of the citizens of Chisago County and the surrounding area. It is the intent of the County to meet both county and regional outdoor recreation interests and needs within its system of parks.

- A. **The County's Role in the Provision of Recreation Activity:** The County shall provide areas and facilities that enable the public to participate in recreational activities that take place in or emphasize the natural setting and are suitably provided for within County resources. Emphasis will be placed on activities which have broad general appeal and **are participant-oriented**. The County will stress the provision of opportunities for recreation uses that occur on a self-directed basis. Such areas and facilities provided by the County are those not traditionally offered by local recreation agencies and those which compliment other outdoor recreation areas. Recreation uses must be of a wholesome character and not offensive to the general public.
- B. **General Interest Recreation Activities:** The following activities shall be planned for throughout the system, consistent with parkland classification as follows:
 1. *Park Reserve:* Activities for which major developments or facilities may be provided within the 20 percent active use area include: picnicking, swimming, camping, boating, fishing, trail uses including hiking, biking, running, ski touring, horseback riding, and snowmobiling, nature interpretation, creative play, and low-organized field games. Park reserves are also intended to provide areas for natural resources and open space appreciation, wildlife observation and appreciation, and other open space activities such as sightseeing and nature education pursuits. Access to the 80 percent natural area is limited to those designated uses which have minimal impact on natural resources and wildlife.
 2. *County Park:* Activities for which major developments or facilities may be provided include: picnicking, swimming, camping, boating, fishing,

trail uses including hiking, biking, running, ski touring, horseback riding and snowmobiling, golfing, creative play, and low-organized field games. County parks are also intended to provide areas for a diversity of other active outdoor recreation uses, as appropriate.

3. *County Trail Corridor:* Trail uses including hiking, biking, running, ski touring, in-line skating, horseback riding, and snowmobiling, may occur. Multiple use and multi-season use are primary objectives.
4. *Historic Park:* Developments, facilities, and planned activities shall provide for a recreational experience through authentic presentation and interpretation of subject structures, objects and sites. Other complimentary recreation uses are allowable.
5. *Special Use Site:* The primary use is that for which the site is established or acquired. Other activities may be permitted if they are compatible with the major use intent of the facility and management objectives such as revenue generation, multi-season use and facility promotion.

Activities other than those listed as system activities are permitted if consistent with management objectives and not prohibited under the County's ordinance.

- C. **Special Interest Recreation Activities:** The County will endeavor to provide for activities which have limited public participation, require special rules for using parkland, and are not planned for as a system activity. Appropriateness will be determined based on the County's parkland classification system, park ordinances, and through an analysis of the following criteria: demand and need, exclusiveness, facility availability, natural resources availability and limitations, cost to the County, revenue potential, impact on other park users, risk and danger to participants and other park users, wholesomeness of the activity, emphasis of the natural setting, and appropriateness of County's involvement.
- D. **General Programmed Recreational Services:** The County may offer programmed services that are aimed at increasing the public's understanding, awareness and appreciation of the natural environment, encouraging the public to develop outdoor recreation skills and attracting new users. Appropriate areas of programmed services to accomplish these goals include: interpretation, environmental education, natural history, natural resources management, energy conservation, outdoor living skills, individual outdoor sports, arts and crafts, history, culture and suitable entertainments.
- E. **Nature Education and Interpretation:** The County may provide programs of nature education and interpretation to enhance the visitor experience, educate school children and others, and impart to the public the need to preserve and

protect the lands of the County as well as the natural environment.

- F. **Agency Cooperation in Recreation Uses:** The County will encourage and provide opportunity for local agencies to use existing parklands and facilities of the County for appropriate recreation programs. The County will also, where appropriate and feasible, cooperate with local agencies in programming efforts.

IX. GENERAL OPERATIONAL POLICIES

The County provides a wide variety of public services which are necessary for full public use and enjoyment of County parklands. The following policies outline and clarify the County's approach to certain priority programs.

- A. **County Ordinance:** This County shall establish and enforce an ordinance proclaiming rules and regulations necessary to govern the proper and safe use of all County properties and to preserve, protect and enhance their scenic beauty, natural resources and wildlife.
- B. **Public Information:** The County shall encourage public use of parklands and present information to all segments of the public on the purposes of the County Parks, the environmental value of parklands and the programs available.
- C. **Equal Opportunity:** The outdoor recreational needs of all elements of the population shall be considered in the planning of parks, facilities and programs. The County shall not discriminate nor permit discrimination on the basis of race, color, creed, religion, national origin, marital status, sex, sexual orientation, status with regard to public assistance, disability, or age.
- D. **Volunteers:** The County recognizes the value of volunteers as a resource to enrich the services and programs of the County and, also, for the goodwill generated through citizen participation in the parks. Volunteering is also recognized as an educational and recreational program because of the intrinsic benefits individuals gain from volunteering. The County shall encourage and provide opportunities for the participation of volunteers.
- E. **Energy Conservation:** The County supports and encourages the philosophy and practices of energy conservation. To this end, the County will consider the environmental and economic impact of energy use in park development and operations.
- F. **Naming of Parks and Facilities:** County park areas and facilities within parks shall be named for a geographic, natural, or historic feature of that park, local folk usage, historic events, to commemorate people who have made outstanding contributions to the County or persons of local historic or

outstanding civic service.

- G. **Sale of Merchandise**: The sale of merchandise shall be permitted where consistent with the relative purpose and character of the park. The sale of merchandise shall contribute to management objectives, including service to park users and revenue generation where appropriate.
- H. **Privately-Sponsored Recreational Events**: The County recognizes the benefits of expanding recreation opportunities within the County through cooperative private and public programming. The county may permit privately-sponsored recreational events for community service purposes only if such events are independently planned and publicized, do not solicit participation by other park users, do not reflect endorsement by the County and follow all park ordinances and special use requirements. The sponsoring organization shall be required to pay all normal service and special use fees. The County may endorse and support privately-sponsored recreational events only when the event is determined to substantially contribute to the County recreation program.
- I. **Non-Recreational Commercial Use**: The County may permit non-recreational commercial use of park areas and facilities where such uses do not significantly affect normal park use, do not negatively impact park resources, and where not in conflict with other management objectives. Products and advertising resulting from this use may not reflect any unapproved endorsement by the County. The sponsoring organization shall be required to meet permit requirements and pay special use fees.
- J. **Scheduling Policy for Use Areas within Chisago County Parks**: The County Board approved a Scheduling Policy for Use Areas within Chisago County Parks on September 26, 2007 (Appendix B). The purpose of the policy is to prevent use conflicts within Chisago County Parks. The policy sets forth the conditions under which scheduling will be handled for the use areas within Chisago County Parks.

X. CONCESSIONAIRE OPERATIONS

The County recognizes that concessionaires may provide a means for offering a needed and desirable service which the County cannot or may decide not to operate.



Discretion should be used in making decisions for concessionaire operations because the profit motive of a concessionaire-operator may in some cases conflict with County management purposes. The County's and park users' benefit from any concessionaire operation must be paramount.

Concessionaires may be considered an acceptable means of providing specified services in cases where the County determines that this would be in the public interest. As such, private entrepreneurs shall not exploit the public on County parkland. Concessionaire operations will only be considered by the Board if the following conditions are met.

- A. The County has determined that the proposed operation is a needed and desirable service for park users.
- B. The concessionaire operation is consistent with the relative purpose and character of the park, in scope, mode of operation, and appearance. In no case shall an operation be permitted within the 80 percent natural area of a park reserve, or which negatively impacts natural resources management objectives.
- C. The concessionaire agrees to abide by all requirements established in contract with the County; and adequate supervision of the concessionaire operation, particularly with regard to pricing, quality, and objectives, is possible. The County will require fair compensation from concessionaire operations.
- D. Any major capital investments in or new construction of concessionaire-operated facilities will only be permitted to cases where a marketing study has shown the proposed operation to be economically feasible. In such areas, the County may permit private entrepreneurs to make such investments on parklands with the stipulation that the investment will be amortized over a fixed period of time and any facilities and improvements shall become the sole property of the County at the end of the fixed time period. The private entrepreneur shall be subject to other such stipulations as determined by the County.

XI. ENCROACHMENTS/ADJACENT LAND USE/INTERIM USES

As charged by its enabling legislation, the County has acquired public lands to be held in perpetuity for the outdoor recreation enjoyment of present and future generations. The Board may only lease its lands or permit their use for purposes consistent with the purposes for which the lands were acquired.

On occasion, well-meaning individuals, institutions, and organizations, both public and private, have expressed interest in obtaining or diverting County lands for other purposes, including roadways, power transmission lines, sewers, signs, billboards, and buildings. The Board anticipates that similar requests for such non-park uses of County parklands will increase as competition for land increases. In addition, more intensive development of lands surrounding and abutting County parklands will have greater effects on park resources, including water quality, air quality, and general biotic conditions; also, the impacts of noise, odor, and other disruptions will increase.

- A. **Encroachments on Parklands**: The Park Board strongly opposes diversion of County parklands by any individual, institution or organization, public or private, for any purpose other than that for which the lands were acquired. Where proposed diversions of park property appear to be in the best interest of the public welfare or where all other alternatives have been exhausted, and only under these conditions, requests will be taken under consideration by the Park Board for recommendation to the County Commissioners on an individual basis. In the case of the 80 percent natural area of park reserves, the Park Board will not consider encroachments.

In those instances where the Park Board determines that encroachment upon County property may be necessary, a recommendation for easements or licenses will be made to the County Board, including the following requirements:

1. To the greatest extent possible, intrusion will be limited to the periphery of park property, must be unobtrusive in nature, and minimize the amount of damage to the landscape.
 2. Restoration of any physical or natural property removed or damaged, or equivalent monetary compensation shall be provided.
 3. Compensation shall reflect the impact of the intrusion on the aesthetic and recreational values of parkland.
- B. **Adjacent Land Use**: The County will continue to respect the property rights of owners of lands contiguous to County parklands. When specific uses are proposed regarding these lands, the County will analyze, comment, and attempt to eliminate or minimize any negative impact of the proposed land use on adjacent parklands. The County seeks to work in cooperation with affected municipalities in the development of land use plans and regulations which will protect the rights of the municipality's citizens as well as the character and purpose of parklands.
- C. **Interim Users**: The County will only lease its lands or permit their use for purposes consistent with the purposes for which the lands were acquired. Interim uses may be approved by the Park Board if it is determined that the use contributes substantially towards the County short-term and long-range goals for parkland restoration or development. The County will require compensation for land or facilities leased, and compensation for any County services rendered, consistent with other benefits of the use to the County.

XII. PARK BOARD OPERATIONS

The County Board of Commissioners and County Park Board have policymaking authority for implementing Minnesota Statutes, Chapter 398, with regard to the

operation of the Chisago County Parks. The Park Board recommends County policy to the Board of Commissioners through resolutions adopted by a majority of the Park Board at public meetings. Since the overall responsibility of the Park Board is to promote and protect the public interest, as it is served by County parks and programs, the following policies are designed to facilitate public input.

- A. **Public Park Board Meetings:** Meetings of the County Park Board shall be open to the public, with the exception of those held confidential under the terms of the Minnesota open meeting law, Minnesota Statutes 741.705.
- B. **Public Participation:** Public participation and input at all official Park Board meetings shall be encouraged and provided for in the development of County system plans, comprehensive plans, policies, and ordinances.
- C. **Policy Revisions and Waivers:** A recommendation to the County Board regarding revisions to these policies shall require the adoption of a resolution by majority vote of the entire Park Board. The County Board will hold a public hearing on any Park Board recommendation on a policy revision prior to acceptance or denial of the revision.

Waivers of these policies shall require adoption of a resolution by a two-thirds vote of the entire Park Board. The Park Board will make a recommendation to the County Board on a proposed waiver to park policy. The County Board will hold a public hearing on a proposed waiver to park policy and have the final decision regarding approval or denial of the waiver.

CHISAGO COUNTY PARKS & TRAILS LAND ACQUISITION AND DEVELOPMENT FUNDING POLICY

I. POLICY STATEMENT

- A. The intent of the policy is to provide systematic and fair treatment of funds collected under this statute. Chisago County residents are interested in the preservation of open spaces, securing key resources and facilitating outdoor recreation in Chisago County.
- B. The County Park Board will update the County Comprehensive Parks and Trails Plan annually to reflect evolving interests and opportunities.
- C. The policy is subject to existing MS 394.25 stated as follows:

Subd. 7. **Specific controls; other subjects.** (a)

Specific controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation and dedication of streets and land for other public purposes and the general design of physical improvement.

(b) The controls may require that a portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, recreational facilities, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance.

(c) If a county adopts the ordinance required by paragraph (b), the county must adopt a capital improvement program and adopt a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and in paragraphs (d) through (o).

(d) The county may choose to accept a per lot cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision.

(e) In establishing the portion to be dedicated or preserved or the per lot cash fee, the controls must consider the open space, park, recreational, or common areas and facilities that the applicant proposes to reserve for the subdivision.

(f) The county must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(g) The fees or dedication must be fair, reasonable, and proportionate to the need created.

(h) Any cash payments received must be placed by the county in a special fund to be used only for the purposes for which the money was obtained.

(i) Any cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space. Cash payments must not be used for ongoing operation, maintenance, or redevelopment of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(j) The county must not deny the approval of a subdivision based on an inadequate supply of parks, open spaces, trails, or recreational areas within the county.

(k) The county must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee or dedication.

POLICY NBR: 2007-2 Adopted: February 7, 2007 Revised Name: February 21, 2007

(l) The county must use at least 75 percent of the funds collected under this subdivision according to the plan required in paragraph (c) in the township or city where the collection of funds occurs. However, the township board or city council may agree to allow the county to use these funds outside of the township or city in a manner consistent with the county parks, trails,

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and open space capital improvement plan or the county parks and open space component in its comprehensive plan. The remainder of the funds may be used by the county only for parks and trails connectivity and accessibility purposes. The county must annually report to cities and townships on where funds were collected and where funds were expended in the past year.

(m) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per lot cash fee must apply only to the net increase of lots.

(n) A county must not require a dedication of a portion of a proposed subdivision or a payment in lieu of dedication in a town or city that has adopted a requirement to dedicate or a payment in place of dedication as a provision of the town or city's subdivision regulations under section 462.358, subdivision 2b, or chapter 366.

(o) A county may negotiate an agreement with a town or city to share the revenue generated by dedicating a portion of a proposed subdivision or a payment in place of dedication.

II. POLICY GUIDELINES

- A. The Chisago County Park Board shall review the *County Comprehensive Parks and Trails Plan* and Township Plans which have been submitted to determine compatibility of projects proposed by the county and townships.
- B. In cases where there are multiple parcels or projects identified for a specific township, the projects will be evaluated and prioritized by the Chisago County Park Board, the Township Board, and the Chisago County Board.
- C. Evaluation Criteria may include the following:
 - 1. State Comprehensive Outdoor Recreation Plan Priorities
 - 2. Local plans
 - 3. Limit of opportunity
 - 4. Environmental Impact
 - 5. Quality of the resource
 - 6. Outdoor recreation benefits
 - 7. Resource conservation
 - 8. Health impacts
 - 9. Noise pollution
 - 10. Commitment to programs
 - 11. Cost per use or per user
- D. Requests will be processed through a standard application process.
- E. Applicants will be notified of upcoming relevant Chisago County Park Board meetings. Notification will be sent two weeks before the next Chisago County Park Board meeting at which the application will be discussed to the Township Clerk of record.

III. TOWNSHIP FUNDING - APPLICATION

- A. Public law requires that 75% of the funding generated from a given township be spent in that township as referenced in MS 394.25.
 - Funds may also be used for intra-township transfer for approved park projects.

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• **Minnesota Statute 394.25 L states as follows:**

• *The county must use at least 75 percent of the funds collected under this subdivision according to the plan required in paragraph (c) in the township or city where the collection of funds occurs. However, the township board or city council may agree to allow the county to use these funds outside of the township or city in a manner consistent with the county parks, trails, and open space capital improvement plan or the county parks and open space component in its comprehensive plan. The remainder of the funds may be used by the county only for parks and trails connectivity and accessibility purposes. The county must annually report to cities and townships on where funds were collected and where funds were expended in the past year.*

B. PROGRAM INFORMATION

1. Eligible Applicants: Townships where subdivision fees have been collected.
2. Eligible Projects:
 - Fee title acquisition of natural or scenic areas and other special purpose sites.
 - Development or improvement of existing parks, playgrounds, trails, wetlands or open spaces and other recreational facilities
 - Informational signage
3. Ineligible Facilities and Costs: Ineligible facilities or costs are those items that cannot be funded with fees collected under this statute.
 - Administrative expenses, e.g. appraisals and legal fees
 - Operation and maintenance costs
 - Redevelopment of parks, recreational facilities, playgrounds, trails, wetlands or open space
4. The County Auditor will annually report to each Township Board and City Clerk about funds collected and expended. This report should be received by the townships or cities on or before January 31 of each year.

C. THE APPLICATION PROCESS

1. All projects shall be compatible with the combined county and township or city park plans.
2. Townships will submit written and electronic proposal application with concept plans and cost estimates to the Chisago County Park Board with request for fund disbursement. Applications will not be accepted during the month of December.
3. Actions on the proposal will be governed by MN Statute 15.99.

Appendix A

4. A copy of all proposals must be submitted to the Director of Environmental Services.
5. The Chisago County Park Board (Statute 398.36) may make recommendations to the County Board in the respect of any matter relating to county parks requiring action by the Board. The Chisago County Park Board may make a recommendation within 30 days of receipt of the application.

D. APPRAISAL REQUIREMENTS

1. An application for the purchase of land must include a current original appraisal for each parcel to be acquired. Appraisals must be performed by a licensed appraiser and meet the Uniform Standards of Professional Appraisal Practice (USPAP) and the Uniform Appraisal Standards for Federal Land Acquisitions.
2. Appraisals may be reviewed by a Chisago County Assessor or another state licensed appraiser to ensure that they meet state appraisal requirements. Any corrections or clarifications requested by the reviewer will need to be completed by the appraiser.

E. REVIEW COMPONENTS

1. The review by the Chisago County Park Board will assess the design of the proposed project and existing facilities.
2. Project design should be compatible with the physical characteristics of the site, consistent with generally accepted engineering and architectural design standards, in accordance with accessibility standards and minimize risk to the health and safety of users.
3. In addition to the design, the review will look at the commitment of the township.
4. This commitment is assessed through measures such as whether the local township has an active parks and recreation organization to oversee park activities, adequate operation and maintenance costs have been developed for the proposed project and if the township has committed some of its own resources to the project.

F. DISBURSEMENT OF FUNDS

1. Upon approval by the Chisago County Board of Commissioners, the funds requested shall be dispersed directly to the township park fund within 30 days.

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G. PROJECT CLOSEOUT PROCEDURES

1. All expenditures are subject to verification by an independent audit and, therefore, receipts of all project records must be retained for a minimum of six years after project completion.

H. LAND RETENTION REQUIREMENT

1. It is the intention that any property acquired under this agreement be maintained and managed consistent with the purpose and type of property to properly protect the natural and/or scenic resources.
2. The township/city will agree to replace any converted land with other land of at least equal market value and reasonably equivalent natural and/or scenic resources as determined by generally accepted land use principles.

I. AVAILABILITY TO USERS

1. Public property and facilities shall be open to entry by all persons regardless of race, color, national origin, religion or sex.
2. No person shall, on the basis of disability, be excluded from participation in any program or activity receiving county assistance.
3. Finally, discrimination on the basis of residence, including preferential reservation, membership or annual permit systems is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

J. CHANGES, AMENDMENTS OR ADDITIONS

Any proposed change of this park plan shall be submitted to each of the affected townships or cities before it is submitted to the Chisago County Board of Commissioners for approval.

Mike Robinson Date
Chair, Chisago County Board of Commissioners

DeAnna M. Lilienthal Date
Clerk, County Board

CHISAGO COUNTY SCHEDULING POLICY FOR USE AREAS WITHIN CHISAGO COUNTY PARKS

I. POLICY STATEMENT

The County of Chisago recognizes the desire for users to schedule use areas within Chisago County Parks in order to prevent use conflicts.

This policy is intended to benefit all users of the Chisago County Parks.

This policy is applicable to all use areas within Chisago County Parks at the discretion of the Park Director.

This policy sets forth the conditions under which scheduling will be handled for the use areas within Chisago County Parks.

II. POLICY GUIDELINES

- A. The Chisago County Park Director has final responsibility for scheduling the use areas within the Chisago County Parks.
- B. All park shelter scheduling remains the responsibility of the Chisago County Parks Division and is not governed by this policy.
- C. All park users seeking to schedule use areas shall sign a waiver indemnifying Chisago County and a Memorandum of Agreement for use areas before any reservations are considered complete.
- D. A standard user list shall be provided to all groups wishing to schedule recurring use area time.
- E. The Applicant seeking to schedule use areas must sign the Memorandum of Agreement prior to use areas being assigned by Chisago County Parks.
- F. This policy may be reviewed by the County Board on an annual basis.

Mike Robinson Date
Chair, Chisago County Board of Commissioners

DeAnna M. Lilienthal Date
Clerk, County Board

Appendix C

**STANDARD USER LIST
for
USE AREAS
LOCATED AT CHISAGO COUNTY PARKS
(not in priority order)**

Lakes Area Recreation Association (LARA)
Men's Softball League (MSL)
Women's Softball League (WSL)
North Branch Youth Association
Church Leagues
Private Group Use
School Use

**POLICY NBR: 2007-3
Revised: September 26, 2007
Adopted: March 7, 2007**

Appendix D

**CHISAGO COUNTY
PARK USE AREAS
MEMORANDUM OF AGREEMENT**

THIS MEMORANDUM OF AGREEMENT, entered into this _____ day of _____, 20____, by and between (“Standard User”), and Chisago County (hereinafter “County”).

1. The Standard User shall use the use areas in the manner in which they were designed and for their intended purpose only. If the Standard User wishes to use additional areas or times other than previously scheduled the applicant shall contact the Parks Division.
2. The Standard User shall be solely responsible for any required markings or lining of use areas. They shall also be responsible for the parking of spectator cars in designated areas and for crowd control.
3. Equipment storage may be provided on a space available basis at the discretion of the Parks Director. Chisago County shall not be responsible for any loss or damage at County storage facilities at use areas.
4. Standard User agrees to clean up all trash and rubbish and leave the use areas in a clean and orderly condition. A \$100 deposit will be required from the applicant for use of the locked restrooms. The deposit will be returned at the end of the scheduled use if the restrooms are not damaged. If damage occurs due to the restrooms not being properly closed and locked the damage deposit may be applied toward the expenses.
5. This Agreement shall be in existence for the balance of one year subject to its being revoked on 10 days written notice. In case of vandalism, or lack of control of the spectators, or violation of any terms of this agreement by the Standard User, the Park Director shall be entitled to revoke use of the scheduled area by the Standard User upon a written notice. The Standard User has the right to appeal to the County Board if it so desires during the 15 day notice period from date of such notice.
6. The Standard User only has priority use of the use area, as per completed reservation documents. All other use will be on a first come first served basis.

CHISAGO COUNTY ACCEPTANCE OF GIFTS POLICY

I. POLICY STATEMENT

Pursuant to Minnesota Statute § 375.26, county governments are permitted to receive gifts of property, both real and personal property, and other things of value, from individuals and/or entities.

The Chisago County Board of Commissioners adopted Resolution No. 060419-3 for the acceptance of such gifts by Chisago County, and does furthermore wish to express its appreciation to those persons, businesses and organizations that have in the past and will in the future present the Chisago County with gifts.

This policy sets forth the conditions under which Chisago County may accept gifts.

II. POLICY GUIDELINES

- A. Minnesota Statute § 465.03 requires the Chisago County Board of Commissioners to accept, by Resolution adopted by two-thirds (2/3) majority of its members, any such gift.
- B. Any gifts to Chisago County having a value in excess of \$500 must be accepted only by the Chisago County Board of Commissioners. Any employee or official of Chisago County who has been contacted by an individual or organization concerning a gift of such value, or greater, must immediately notify the Chisago County Auditor and the Chisago County Board of Commissioners of such proposed gift for purposes of the board's consideration of its acceptance.
- C. Gifts of any value which are subject to any conditions or terms by the donor shall only be accepted or not accepted as determined by the Chisago County Board of Commissioners.
- D. Unconditional gifts having a value of less than \$500 may be conditionally accepted: by the board as a whole; a Board member; or a Department Head at any time, provided notification concerning such gift is made to the Chisago County Auditor by the acceptor(s) in a timely manner.
- E. On at least an annual basis, the Chisago County Auditor shall compile and present to the Board a full and complete list of all such gifts in the amount of less than \$500 conditionally accepted by the County for final approval and acceptance by the Chisago County Board of Commissioners.