

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, February 15, 2023**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, February 15, 2023 at the Chisago County Government Center with the following Commissioners present: Greene, Dunne, Montzka, Dahlberg. Also present: County Administrator Chase Burnham, County Attorney Janet Reiter, and Clerk of the Board Christina Vollrath.

Chisago County Commissioner Jim Swenson will be attending the Chisago County Board of Commissioners Meetings on Wednesday February 15th at 6:30 p.m. via Interactive TV, pursuant to Minnesota Statute 13D.02 and MN Department of Administration Advisory Opinions 08-034 and 13-009. Commissioner Swenson may be seen and heard at the meeting via electronic means and will participate from Driftwood Worldgate Resort, 3011 Maingate Lane, Kissimmee, Fl 34747, a location open and accessible to the public. Any questions can be directed towards Chase Burnham, County Administrator, at (651) 213-8877.

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

Commissioner Greene offered a motion to approve the amended agenda. Motion seconded by Dunne, the motion **passed** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Dunne, the Board opened the Road and Bridge Committee of the Whole at 6:31 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

The Board was given updates on the current projects of the Public Works Department from County Engineer Joe Triplett. *No action was taken.*

On motion by Greene, seconded by Dahlberg, the Board moved items 1-4 to the consent agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to close the Road and Bridge Committee of the Whole at 6:47 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

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

- 1.) R&B Committee Recommendation – County Engineer’s Report
- 2.) R&B Committee Recommendation – FINAL State Park Road Improvements Project
- 3.) R&B Committee Recommendation – FINAL County Resurfacing Project
- 4.) R&B Committee Recommendation – Variance Request Resolution for CSAH 21 Project

RESOLUTION NO: 23/0215-1
A RESOLUTION REQUESTING A VARIANCE FROM STANDARD FOR STATE AID OPERATION FOR PROJECT NO. S.A.P. 013-621-010.

WHEREAS, Chisago County is preparing construction plans for County State Aid Highway (CSAH) 21 (Redwing Avenue/350th Street) between CSAH 20 (Furuby Rd) and MN TH 95 (St. Croix Trail); and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9920 require a minimum design speed of 40 miles per hour (mph); and

WHEREAS, the existing alignment of CSAH 21 results in a T-intersection of Redwing Avenue at 350th Street, with the southern leg of the intersection being controlled by a side-street stop-control; and

WHEREAS, the County highway jurisdiction is on the south and east legs of the intersection, and the township road jurisdiction is on the west leg; and

WHEREAS, the proposed project will construct a horizontal curve connecting the predominate traffic movement utilizing the County highway legs, and will relocate the side-street stop-condition to the township road; and

WHEREAS, constructing a horizontal curve to meet the minimum 40 mph design speed would cause significant impacts and encroachment onto the adjacent private property; and

WHEREAS, the proposed design using a 35 mph curve provides a 45 mph stopping sight condition; and

WHEREAS, the proposed design widens the existing shoulders providing the motoring public with greater room for evasive action, recovery in case of lane departure, and driver comfort.

NOW, THEREFORE BE IT RESOLVED, that the County Board of Commissioners do hereby request a variance from the Minnesota Department of

Transportation State Aid Operations Rules Chapter 8820.9920 (Minimum Design Standards; Rural and Suburban Undivided; New or Reconstruction Project) to allow a 35 mph horizontal curve in lieu of a 40 mph curve at this intersection;

BE IT FURTHER RESOLVED, that County Board of Commissioners hereby indemnifies, saves and holds harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the granting of the variance. The County/City further agrees to defend at its sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

- 5.) Minutes from the February 1, 2023 County Board Meeting
- 6.) Payment of County’s Warrants and Miscellaneous Bills

Per Minnesota Statutes 375.1, proceedings of the County Board including a list of itemized accounts, claims or demands must be published in the official newspaper. The itemized list of claims is available for public review on the County website at <https://www.chisagocounty.us/1197/Claims-Paid>. Claims less than \$2,000 are listed as a total dollar amount and notes the number of claims included in the total.

- 7.) Application for Exempt Gambling Permit – East Central Friends of the NRA

RESOLUTION NO. 23/0215-2
APPROVING THE SUBMISSION OF AN APPLICATION TO CONDUCT A
RAFFLE FOR THE EAST CENTRAL FRIENDS OF THE 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 an application to conduct a raffle at the Lent Town Hall located at 33155 Hemingway Ave., Stacy, MN 55079.

- 8.) Application for Exempt Gambling Permit – Knights of Columbus 15227

RESOLUTION NO. 23/0215-3
APPROVING THE SUBMISSION OF AN APPLICATION TO CONDUCT A
RAFFLE FOR THE KNIGHTS OF COLUMBUS 15227

WHEREAS, the Chisago County Board of Commissioners has been presented with a request for lawful gambling within Chisago County; and

WHEREAS, the application was complete, included all necessary documentation, appears in accordance with County Policies and the facility owners are in good standing with the County;

BE IT RESOLVED that the Chisago County Board of Commissioners hereby approves and authorizes submission to the Minnesota Gambling Control Board an application to conduct a raffle at the Chisago Town Hall located at 14200 316th St., Lindstrom, MN 55045.

9.) Acceptance of 2022 Chisago County Donations

**RESOLUTION NO: 23/0215-4
ACCEPTANCE OF DONATIONS BY CHISAGO COUNTY**

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 County has received a donation from a business or private individual in Chisago County and is requesting formal acceptance by the County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that the Chisago County Board of Commissioners hereby accepts the following donations received by the Chisago County in 2022:

- Evelyn A. Yates \$20.00 for Chisago County Sheriff's Office
- Tom Kieffer Agency \$50.00 for the Children's Water Festival
- Chisago Lakes Lions Club \$200.00 for the Children's Water Festival
- The City of Rush City \$200.00 for the Children's Water Festival
- Stacy Lent Fire Department Relief Association \$250.00 for the Children's Water Festival
- Center City Fire Department \$250.00 for the Children's Water Festival
- Brinks Market \$100.00 for the Children's Water Festival
- First State Bank of Wyoming \$200.00 for the Children's Water Festival

Environmental Services Director Kurt Schneider presented the Board with the Director's Report and action items. *No action was taken.*

On motion by Dunne, seconded by Greene, the Board moved to repeal Resolution No. 20/0215-1 and adopt Resolution No. 23/0215-XX as the "Chisago County Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board

Structure, Meeting Order and General Procedure” as presented and/or as amended at tonight’s meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Greene, seconded by Dahlberg, the Board moved to approve and authorize execution of the FY 2023 State of Minnesota Board of Water and Soil Resources Septic Treatment Systems Natural Resource Block Grant Agreement. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Swenson, seconded by Dahlberg, the Board moved to approve and award the Custom Pole Building, LLC Park Maintenance Storage Building and Pankan Masonry Concrete Flooring Quote Package of \$97,240 and authorize staff to acquire the necessary permits and direct completion of the ARPA-0117 ENVIS Project at the County Parks Maintenance facility in North Branch. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Swenson, the Board moved to award Sunrise Prairie Regional Trail Segment G Construction Project No. 13-SPT-23 to Low Bidder Knife River.; authorize wetland bank credit acquisition plan and expenditure; use the County Fund Balance Funds to complete the project funding shortfall; and to authorize the final preparation and execution of project contracts and signature by the Board Chair following County Attorney review. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

CITIZENS FORUM

TIME – 7:01 p.m.

END TIME – 7:01 p.m.

of SPEAKERS – 0

On motion by Dunne, seconded by Greene, moved to approve the Chisago County Broadband Grant Program, up to \$2,000,000 with a cap of \$200,000 per project/entity, however the total amount in the program is subject to change at the discretion of the Board. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to approve the Chisago County Sheriff Office allocation of \$50,000 for hiring bonuses and \$5,000 for referral bonuses in creating the Chisago County Sheriff Office Recruitment Program from the Chisago County ARPA allocation. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Dunne, the Board moved to approve directing Engineer Triplett to proceed with seeking bids and they allocated \$900,000

from the Broadband ARPA allocation to cover some of the total costs. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve selling the grader for \$57,000 to Ziegler CAT and purchasing the pickup, using operating funds to cover the difference between the sale and purchase. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dunne, seconded by Greene, the Board moved to approve the purchase of new GPS Antenna equipment from Leica using fund balance. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve paying \$15,000 from fund balance to cover the unbudgeted increases in the total cost of the Sunrise Prairie Regional Trail Segment G project. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Dunne, the Board moved to approve a resolution to support the Application to the MN Border to Border grant program for East Central Electric. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

RESOLUTION NO: 23/0215-6
RESOLUTION IN SUPPORT OF EAST CENTRAL ENERGY'S BROADBAND PROJECT
IN CHISAGO COUNTY

WHEREAS, East Central Energy is working to provide efficient and affordable fiber broadband internet to its service area; and

WHEREAS, the mission is to provide high-speed internet to every home and business, fostering community vitality, affordable and quality health care, equitable education, a strong economy, and efficient government; and

WHEREAS, East Central Energy is applying for the 2023 Minnesota Border-to-Border Broadband Development Grant Program. The Border-to-Border Broadband Development Grant Program funds the expansion of broadband service to areas of Minnesota that are unserved or underserved; now therefore, be it

RESOLVED, that the Chisago County Board of Commissioners in the State of Minnesota, hereby endorses East Central Energy’s Broadband Project to provide to fiber broadband internet to its service area; and be it further

RESOLVED, that Chisago County commits \$2,000 for the matching portion of the 2023 Minnesota Border-to-Border Broadband Development Grant Program grants received in support of East Central Energy’s Broadband Project; and be it further

On motion by Greene, seconded by Dune, the Board moved to approve the Chisago County Sheriff’s Office Wellness Program. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

On motion by Dahlberg, seconded by Swenson, the Board moved to approve the resolution accepting the donation for the Chisago County Sheriff’s Office from the Chisago County Sheriff’s Office Foundation for \$7129.99 of exercise equipment. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

RESOLUTION NO: 23/0215-7
ACCEPTANCE OF DONATIONS BY CHISAGO COUNTY

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 County has received a donation from a business or private individual in Chisago County and is requesting formal acceptance by the County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that the Chisago County Board of Commissioners hereby accepts the following donations received by the Chisago County in 2023:

- Chisago County Sheriff’s Office Foundation - \$7,129.99 Exercise Equipment

On motion by Dahlberg, seconded by Dunne, the Board moved to approve the resolution accepting the donation of 42 AEDs for the Chisago County Sheriff’s Office from the Leona M. and Harry B. Helmsley Charitable Trust to the Center for Resuscitation Medicine (CRM) at the University of Minnesota. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

RESOLUTION NO: 23/0215-8
ACCEPTANCE OF DONATIONS BY CHISAGO COUNTY

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 County has received a donation from a business or private individual in Chisago County and is requesting formal acceptance by the County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, that the Chisago County Board of Commissioners hereby accepts the following donations received by the Chisago County in 2023:

- The Leona M. and Harry B. Helmsley Charitable Trust to the Center for Resuscitation Medicine (CRM) – 42 AEDs

On motion by Greene, seconded by Dunne, the Board moved to approve the out of state training request to the Midwest Counterdrug Training Center in Johnston, IA. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the Chisago County Sheriff's Office continued participated in the LESO Controlled Property Program. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

On motion by Dunne, seconded by Greene, the Board moved to approve the SHIP Grant Agreement – Lindstrom Community Gardens. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

On motion by Greene, seconded by Dahlberg, the Board moved to approve the PHEP Budget Period 5 priority plan. The motion **carried** as follows: **IN FAVOR THEREOF**: Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED**: None.

County Administrator Burnham provided administrative updates. ***No action was taken.***

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

On motion by Dunne, seconded by Greene, the Board moved to close the County Board meeting at 7:45 p.m. related to considering strategy for labor negotiations, including negotiation strategies , including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to

sections 179A.01 to 179A.25 and to be closed if the closure is expressly authorized by statute or permitted by the attorney-client privilege. Pursuant to Minnesota Statutes section 13D.05, Subd. 3 (b) for the purpose of conferring with outside counsel to receive an opinion concerning litigation strategy that will be adopted in respect to the pending case of *In the Matter of the Application of Jim Goodpaster and Sherry Timmerman Goodpaster for a Conditional Use Permit, Court of Appeals Case No. A22-0982*. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dunne, seconded by Greene, the Board moved to proceed with the recommendation from the County Attorney's office in regards to *Goodpaster*. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Greene, the Board ended the closed meeting and reconvened the regular meeting at 8:51 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Greene, seconded by Dahlberg, the Board adjourned the meeting at 8:52 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

Ben Montzka, Chair

Attest: _____
Christina Vollrath
Clerk of the Board