

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
UNOFFICIAL PROCEEDINGS  
Wednesday, March 16, 2022**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, March 16, 2022 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, Dunne, Montzka. Also present: County Administrator Chase Burnham, County Attorney Janet Reiter, and Clerk of the 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 amended agenda with an addition to discuss shooting ordinances. Motion seconded by Montzka, the motion **passed** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by DuBose, 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:** DuBose, Greene, Dunne, Montzka. **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 DuBose, seconded by Montzka, the Board moved items 1-5 to the consent agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by DuBose, seconded by Montzka, the Board moved to close the Road and Bridge Committee of the Whole at 6:41 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

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

- 1.) R&B Committee Recommendation – County Engineer’s Report
- 2.) R&B Committee Recommendation – 2022 Seal Coat Project
- 3.) R&B Committee Recommendation – MnDOT JPA for TH 8 Project
- 4.) R&B Committee Recommendation – 2022 Construction Testing Services Contract
- 5.) R&B Committee Recommendation – 2023-2027 Transportation Improvement Plan
- 6.) Minutes from the March 2, 2022 Meeting

7.) 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.

On motion by DuBose, seconded by Dunne, the Board moved to accept the March 9<sup>th</sup> Budget and Finance Report and moved to approve and authorize the County entering into a services agreement with CliftonLarsonAllen for IT Consulting Services in an amount not to exceed \$35,000 and on terms and conditions negotiated by the County Administrator and approved as to form by the County Attorney. Motion to authorize and direct the County Administrator or his designee to serve as contract administrator on behalf of the County and carry-out and perform those responsibility required of the County consistent with the terms and conditions of such agreement. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the Board moved to approve a letter of support for HF 2821/SF 2670, which seek to provide funding for ARMER Radio support from the MN Legislature. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the Board moved to approve a credit card for Todd McMurray, Social Services Manager in HHS. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Dunne, seconded by Montzka, the Board moved to approve the Contract between Kantner Consulting L.L.C. and Chisago County. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the Board moved to approve the Out-of-State Travel Request for Christine Johnson to travel to Connecticut to provide Child protective services to a client that is residing in a specialized facility and the Out-of-State Travel Request for Kim Booker and Sarah Bach to travel to Puerto Rico to provide Child Protective Services to a client that is traveling there. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Dunne, seconded by Montzka, the Board moved to approve by Resolution Chisago County's Support for Adding the South Center Sanitary District as a Voting Member of the Chisago Lakes Joint Sewage Treatment Commission, as presented [and/or modified] at tonight's meeting. The motion **carried** as follows: **IN FAVOR**

**THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

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

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

On motion by DuBose, seconded by Montzka, the Board moved to table the commercial shooting ordinance to a time indefinite. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

## **CITIZENS FORUM**

**TIME** – 7:02 p.m.

**END TIME** – 7:09 p.m.

0 letters, 1 email, # of **SPEAKERS** - 2

On motion by DuBose, seconded by Dunne, the Board moved to approve Resolution 22/0316-02, A Resolution of the County Board of Commissioners of Chisago County, Minnesota, Approving the Jason Klar Conditional Use Permit for Major Home Occupation to conduct Permit to Carry Classes with an outdoor shooting area at 47311 Government Road, Sunrise Township, (PID #09.00485.02) with Findings and Conditions as recommended by the Planning Commission with modified conditions. The Board of Commissioners of Chisago County, Minnesota hereby approves the request for Conditional Use Permit, subject to the following conditions as modified:

1. The Major Home Occupation shall be operated in conformance with the proposal elements identified in the application for Conditional Use Permit, including the written narrative and site plans (maps #1 and #2) dated received November 18, 2021, except as specifically noted below.
2. Any change involving structural alterations, enlargement, intensification or expansion of use, or change not specifically permitted by the Conditional Use Permit shall require County Board approval of a Conditional Use Permit Amendment.
3. The Conditional Use Permit only applies to property identified as PID 09.00485.02. Neither the classroom portion nor the live fire exercise portion of the class may take place on the applicant's adjacent property identified as 09.00485.03.
4. The applicant may offer no more than 12 classes per year at the subject site with a strict limit of no more than 120 rounds of ammunition fired per class.
5. Classes may only be held on Saturdays, beginning no earlier than 7:00 am and ending no later than 3:00 pm. Neither the Conditional Use Permit nor this condition preclude the applicant from utilizing the existing shooting berm or required bullet boxes for personal recreational use outside of the stated days and hours of operation.
6. The live fire exercise portion of the class shall be conducted at the bullet boxes located in the rear yard. If the applicant wishes to relocate the bullet boxes or method used for

completing the live fire exercise on the subject site, the applicant must request and obtain approval of a Conditional Use Permit Amendment. This condition does not prohibit the applicant from utilizing an off-site legally authorized commercial shooting range for the live fire exercise.

7. Any noise and/or vibration generated from the use shall be in compliance with Minnesota Pollution Control Agency standards.
8. There shall be no employees other than those persons residing in the dwelling.
9. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the CUP is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
10. Violations of the conditions contained herein shall be cause for the revocation of the Conditional Use Permit upon action of the County Board.
11. The applicant shall install and utilize for class purposes two "Bullet Boxes" designed and constructed to meet the MN Department of Natural Resources' design standards as described in the MN Department of Natural Resources' *Outdoor Shooting Ranges: Best Practices* guide. The bullet boxes shall be a minimum of nine feet (9') in height.
12. If the applicant's southern parcel, identified as 09.00485.03, is divided, sold or developed, the Conditional Use Permit shall be reviewed by the Chisago County Planning Commission and Board of Commissioners.

The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Dunne, Montzka.  
**OPPOSED:** Greene

On motion by DuBose, seconded by Montzka, the Board moved to approve Resolution 22/0316-03, A Resolution of the County Board of Commissioners of Chisago County, Minnesota, Approving the Wild Mountain Properties Conditional Use Permit Amendment application at 16906 Wild Mountain Road, Amador Township, PID#01.00096.00 with findings and Conditions as recommended by the Planning Commission with modification to conditions. The Board of Commissioners of Chisago County, Minnesota hereby approves the request for Conditional Use Permit Amendment, subject to the following conditions as modified:

1. This Conditional Use Permit amends the Conditional Use Permits granted by the Chisago County Board of Commissioners on July 21, 2010 (original CUP), April 18, 2018 (Amendment #1) and April 21, 2021 (Amendment #2) granting approval of Rural Retail Tourism and Commercial Recreation Area uses in the AG District. The specific uses allowed under this CUP include a winery and gathering venue (to include specific uses such as wine tastings, weddings, general gatherings, and other social or corporate activities) and a Recreational Camping Area. This CUP does not include approval of a Microbrewery, as had been approved in 2018. The conditions

contained in this CUP supersede all previously approved conditions on the dates provided above.

2. The property shall be developed and used in accordance with the site plan and written narrative stamp dated received February 8, 2022, except as provided herein. Any significant deviation as determined by Chisago County Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
  - a. Campsites 1, 21, 15, 26, and 25 shall be eliminated, allowing a maximum of 25 campsites.
  - b. Campsites 4, 6, 20, 24, and 16 shall be restricted to weekend use only, Friday through Sunday (Friday and Saturday overnights only).
3. This CUP shall allow year-round use of the property for Rural Retail Tourism purposes (winery and gathering venue) subject to the following hours of operation: Mondays – Thursdays 12:00-7:00 pm, Fridays 2:00-9:00 pm, Saturdays 12:00-9:00 pm, and Sundays 12:00-6:00 pm.
4. Any toxic substances generated from the Rural Retail Tourism use (winery) must be handled in accordance with MPCA standards.
5. The property is limited to a maximum of 25 campsites, including 20 single tent sites, one (1) group site, and four (4) pop-up camper sites. No water or sewer hook-ups shall be permitted. The property owner shall be allowed to increase the current number of campsites from 13 to 20 immediately, based on current design of the septic system, and shall only be allowed to increase the number of campsites from 20 to 25 if septic system monitoring is conducted one week prior to July 4 and one week following July 4, including daily water meter readings, and favorable analysis is provided by a certified service provider to the Chisago County Department of Environmental Services.
6. This CUP shall allow seasonal camping, as a Commercial Recreation Area, seven days a week May 1<sup>st</sup> through October 31<sup>st</sup>, except as limited by condition no. 2b.
7. The Commercial Recreation Area (campground) shall be staffed at all times when campers are present. The campground shall be staffed as follows: 1-10 occupied campsites = 1 staff; 11-20 occupied campsites = 2 staff; 21-25 occupied campsites = 3 staff).
8. Campsites along the north and east property lines shall not be located closer than 20 feet to the property line. Further, the Commercial Recreation Area is subject to all Minnesota Department of Health setback, spacing and size requirements. When the County's setback requirements are more restrictive than the State's, the County's setbacks shall supersede.
9. The Commercial Recreation Area (campground) must adhere to the strict observance of quiet hours from 11:00 pm to 7:00 am.
10. The "Wild Vines Campground Policies", stamp dated received January 25, 2022 or as amended from time to time and provided to Chisago County Department of Environmental Services, shall be made a condition of approval. Said amended Policies shall remain sufficiently consistent as or more restrictive than the January 25, 2022 Policies.

11. The property owner shall maintain the existing landscape (trees and shrubbery) along the western, northern and eastern property boundaries at its existing screening value and replace said landscape at its existing screening value if it dies or becomes damaged. If at some point the landscape cannot be maintained or replaced by other vegetation, the property owner may install a privacy fence with an equivalent screening value in those areas where there is no longer landscape. Additionally, the property owner shall install a 6 ft. tall wooden privacy fence between the site line of campsites 4 & 6 and the buildings and home located on the immediately adjacent property to the west.
12. All utilities for the Recreational Camping Area must be located underground and there shall be no overhead wires or supporting poles except those essential for lighting purposes.
13. Noise generated from any Rural Retail Tourism and/or Commercial Recreation Area use, including the playing of music, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No undue or objectionable noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries.
14. No outdoor music shall be allowed from Sunday at 2:00 pm through Friday at 5:00 pm, meaning that outdoor music shall only be allowed Friday beginning at 5:00 pm through Sunday ending at 2:00 pm.
15. The maximum number of customers / guests for all uses combined, including Rural Retail Tourism and Commercial Recreation Area, shall not exceed 300 at any given time.
16. All parking shall be accommodated on-site, with supervised management of ingress and egress traffic to eliminate conflicts in traffic flow.
17. Permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
18. All food preparation and/or sales shall comply with all applicable Minnesota Department of Health regulations.
19. All liquor service shall comply with all applicable Minnesota Department of Public Safety regulations, and Chisago County liquor licensing requirements.
20. Signage shall be permitted and installed in accordance with Chisago County Zoning Ordinance Section 4.14.
21. The property and the uses thereon are subject to all applicable local and State codes, including Zoning, Building and Septic Codes.
22. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
23. The property owner must notify the Chisago County Department of Environmental Services annually that the activity permitted by the CUP is ongoing and the activities being conducted continue to adhere to the conditions of approval.

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

On motion by DuBose, seconded by Montzka, the Board moved to approve Resolution 22/0316-01, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Poor Farm Meadows, located in Sunrise Township, at the northwest corner of 410<sup>th</sup> Street / CR 81 and Poor Farm Road (PID 09.00034.20). The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by DuBose, seconded by Dunne, the Board moved to approve the 2022 CLLID/Lake Association/DNR aquatic invasive weed control partnership program for \$18,900, along with up to \$11,100 from reserve funds for a total program budget of \$30,000. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Dunne, seconded by Montzka, the Board moved to approve the purchase of a Trailer City 2021 Woodies Steel Utility Trailer, not to exceed \$4,250.00 as presented and moved to transfer the difference of \$10,750 in remaining dedicated CIP funds allocated for purchase of a Parks Division Mower Trailer, approval number (ENVS-0113), towards the Capital Improvement Plan purchase and installation of 5 furnished and installed dugout enclosure fencing, approval number (ENVS-0112), at Ki-Chi Saga County Park. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Dunne, seconded by Montzka, the Board moved to approve the March 8, 2022, Ki-Chi Saga County Park Century Fence Company Covered Dugout and Enclosures Fence purchase and installation proposals #8694 and #9299 as presented. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by DuBose, seconded by Dunne, the Board moved to approve the 2022 CLLID Budget Reallocation/Adjustment Request. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

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

On motion by DuBose, seconded by Dunne, the Board moved to close the County Board subject to Minnesota Statute §13D.05, Subd. 3 which permits a meeting to be closed subject to a discussion with legal counsel which is protected by attorney-client privilege. The Board of Commissioners will discuss legal strategy related to litigation: *Ebenezer Lakes Assisted Living v. County of Chisago*. The Board closed the meeting at 8:03 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by DuBose, seconded by Montzka, the Board moved to reopen the County Board meeting at 8:06 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by DuBose, seconded by Montzka, the Board moved to approve the recommendation presented in Closed Session. The motion carried as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the Board adjourned the meeting at 8:10 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** None.

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Richard Greene, Chair

Attest: \_\_\_\_\_  
Christina Vollrath  
Clerk of the Board