

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
Wednesday, July 19, 2023**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, July 19, 2023 at the Chisago County Government Center with the following Commissioners present: Greene, Dunne, Montzka, Dahlberg, Swenson. Also present: County Administrator Chase Burnham, Assistant County Attorney Jeff Fuge, and Clerk of the Board Christina Vollrath.

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

On motion by Swenson, seconded by Dunne, the Board opened the Local Ditch Authority Meeting at 6:31 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dunne, seconded by Swenson, moved to provide \$15,000 from the Public Ditch 7 fund. The motion **failed** as follows: **IN FAVOR THEREOF:** Swenson, Dunne **OPPOSED:** Dahlberg, Greene, Montzka.

On motion by Dunne, seconded by Dahlberg, the Board closed the Local Ditch Authority Meeting at 7:18 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

**CITIZENS FORUM**

**TIME** – 7:20 p.m. **END TIME** – 7:21 p.m.  
**# of SPEAKERS** – 3

Presentation: Lakes Center for Youth and Families (LC4YF) – Services for County Youth; Linda Madsen, Executive Director

On motion by Greene, seconded by Swenson, the Board opened the Road and Bridge Committee of the Whole at 7:35 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 Swenson, the Board moved to close the Road and Bridge Committee of the Whole at 7:40 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Greene, seconded by Swenson, the Board moved to reopen the Road and Bridge Committee of the Whole at 7:41 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 items 2-3 to the consent agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Greene, seconded by Swenson, the Board moved to close the Road and Bridge Committee of the Whole at 7:41 p.m. 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 the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

- 2.) R&B Committee Recommendation – County Engineer’s Report
- 3.) R&B Committee Recommendation – AET Subsurface Testing Services Contract
- 4.) Minutes from the July 5, 2023 County Board Meeting
- 5.) 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.

- 6.) Budget Adjustment Request – State Municipal Revenue to Road Construction Payment
- 7.) Equipment Expenditure Request – Tandem Purchases
- 8.) Temporary Liquor License Request – Almelund Lion’s Club

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 Swenson, the Board moved to accept the Environmental Services Director’s Report. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

On motion by Dahlberg, seconded by Greene, the Board moved to approve Resolution No. 23/0719-1, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving applicant Becky Meyer & Bill Lloyd are requesting an Interim Use Permit (IUP) to allow a Commercial Kennel for pet boarding

and day care on this 37.05± acre property. The subject site is located at 12690 St. Croix Trail / TH 95 in Sunrise Township (PID #09.00168.00). The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

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**RESOLUTION NO: 23/0719-1**  
**APPROVAL OF AN INTERIM USE PERMIT ALLOWING A COMMERCIAL KENNEL ON PROPERTY LOCATED AT 12690 ST. CROIX TRAIL / TH 95 IN SUNRISE TOWNSHIP**

**WHEREAS**, Becky Meyer and William (Bill) Lloyd, property owners, submitted an application dated received May 30, 2023 and considered complete on June 2, 2023 for an Interim Use Permit allowing a Commercial Kennel for pet boarding and day care on property located at 12690 St. Croix Trail / TH 95 in Sunrise Township; and

**WHEREAS**, the subject site is located in the Agricultural (AG) District; and

**WHEREAS**, the subject site is 37.05± acres in size and legally described as:

PID 09.00168.00

The Southeast Quarter of the Southwest Quarter of Section 16, Township 35, Range 20, Chisago County, Minnesota EXCEPT that part described as follows:

Beginning at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 49 minutes 51 seconds East, assumed bearing along the East line of said Southeast Quarter of the Southwest Quarter, a distance of 600.42 feet; thence North 89 degrees 50 minutes 58 seconds West, a distance of 146.00 feet; thence South 00 degrees 49 minutes 51 seconds West, a distance of 179.33 feet; thence South 42 degrees 31 minutes 00 seconds West, a distance of 231.55 feet; thence South 00 degrees 49 minutes 51 seconds West, a distance of 250.00 feet to the South line of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 50 minutes 58 seconds East, along said South line, a distance of 300.00 feet to the Point of Beginning.

**WHEREAS**, notice was provided and on July 6, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant(s) and/or property owner(s), and invited members of the public to comment; and

**WHEREAS**, the Planning Commission considered several factors for granting Interim Use Permits and made the following findings per Zoning Ordinance Section 8.04-1, C.:

Factor #1        The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

*Finding #1        The Chisago County Comprehensive Plan does not specifically address the proposed use; however, it does identify as an economic development goal that “The County should continue to allow agricultural activities and related agricultural businesses in the Agricultural zoning district.” The Chisago County Zoning Ordinance*

*provides a number of varied land uses allowable in the Agricultural (AG) District, including the establishment of animal-keeping facilities such as farms with livestock and poultry, and commercial and residential kennels. Therefore, the County finds that the proposed use is consistent with the County's development policies.*

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

*Finding #2 The proposed Commercial Kennel will have no associated use of parks, schools, or other public facilities or utilities, and will likely not create any appreciable demand on St. Croix Trail / TH 95; therefore, the County finds that the proposed use will not create any increase or demand on these facilities or utilities.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

*Finding #3 The proposed use – including boarding shed and outdoor play area – is located no closer than approximately 345' from any property boundary and there is well-established landscaping between the boarding shed and outdoor play area and the north, east, and southeast property boundaries (closest property boundaries). The County finds that distance, existing landscaping, required additional landscaping, installation of soundproofing insulation in the boarding shed, and implementation of quiet hours will mitigate potential negative impacts, such as noise, so as to neither cause undue negative impact nor deter future development.*

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

*Finding #4 The proposed Commercial Kennel will utilize an existing 36' x 80' detached accessory structure (boarding shed) and a 90' x 150' enclosed outdoor play area. After reviewing the application materials and the Planning Commission having conducted a site visit on July 5, 2023, the County finds no evidence to suggest that the proposed use will have an appearance that will have an adverse effect upon adjacent properties. Further, the County finds that the appearance of the boarding shed and outdoor play area will have an appearance consistent with similar uses in the Agricultural (AG) District.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

*Finding #5 The Chisago County Zoning Ordinance specifically allows Commercial Kennels as an Interim Use in the Agricultural (AG) District; therefore, the County finds*

*that the proposed use is in compliance with land use goals and regulations established by the County's official land use controls.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

*Finding #6 See Finding #5.*

Factor #7 The proposed use will not cause traffic hazard or congestion; and

*Finding #7 Because the proposed Commercial Kennel is located on a property immediately adjacent to a well-established, well-maintained, and highly traveled State highway (TH 95) with an unobstructed line of site from the end of the driveway to the west and east, the County finds that the proposed use will not cause an appreciable increase in traffic levels or traffic hazards / congestion.*

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

*Finding #8 While there is no indication that the proposed use will adversely impact nearby properties in terms of glare or general unsightliness, the County has received comments from at least one adjacent property owner expressing concerns about potential noise pollution. The County finds that noise resulting from the Commercial Kennel can be mitigated with distance, maintenance of existing landscaping (trees), installation of additional landscaping (trees), installation of soundproofing insulation in the boarding shed, and implementation of quiet hours. If these measures are implemented, the County finds that the proposed use will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission of Chisago County, Minnesota hereby recommends approval of the request for Interim Use Permit, subject to the following conditions:

1. This Interim Use Permit for Commercial Kennel allows for the boarding and day care of no more than twenty (20) boarded dogs at any given time and no more than thirty (30) dogs boarded animals at any given time and small mammals - including but not limited to dogs, cats, rabbits and guinea pigs - at any given time, as specifically described in the application materials dated received May 30, 2023 and kept on file with the Department of Environmental Services. This number includes any domestic pets owned or otherwise kept by the permit holder.
2. The Commercial Kennel shall be allowed to operate seven days a week with animal drop-off occurring between 7:00 am and 10:00 am and pick-up occurring between 4:00 pm and 7:00 pm, or by appointment only.

3. No commercial activity, apart from the boarding and day care of animals as described above, shall be permitted. The Commercial Kennel shall not operate as a shelter or rescue facility, and animal breeding is prohibited.
4. All animals shall be housed indoors (boarding shed or dwelling), apart from brief periods of time for waste elimination and outdoor activity in which the animals will be confined to a fenced enclosure or leashed and handled by the permit holder, employee or animal owner.
5. All animal waste shall be collected daily and disposed of in a legal and appropriate manner on the property so as to avoid undue odor or other negative impacts.
6. The permit holder shall control the barking of dogs to the best of their ability while outdoors to avoid undue negative impact to nearby properties. At no time shall any dog barking activity exceed twenty (20) continuous minutes with less than thirty (30) seconds between each dog bark. Any more than twenty (20) minutes of continuous barking shall be silenced immediately by the permit holder or employee. Further, the permit holder or employee shall accompany and provide direct supervision of any animal(s) while outdoors.

Outdoor activity in the fenced enclosure is limited to no more than 10 dogs at a time in outdoor pen. If more than 10 dogs on site, limited to 50% plus 1 in outdoor pen at a time.

7. Any time an animal is on site for boarding or day care, the permit holder or employee must be present.
8. To mitigate potential adverse impacts related to noise, the permit holder shall implement the following noise mitigation measures:
  - a. All portions of the boarding shed which house dogs shall be fully insulated with ROCKWOOL Safe 'n' Sound, or equivalent, soundproofing insulation.
  - b. The permit holder shall not cause any existing landscaping (trees) located between the boarding shed or outdoor play area and the north, east and southeast property boundaries to be removed.
  - c. The permit holder shall plant a mix of viburnum, spruce and deciduous trees adjacent to the south side of the outdoor play area as described in the May 30, 2023 application materials. The plantings shall be installed by June 1, 2024.
  - d. The required fence / wall and plantings shall be installed prior to any boarding of animals.
  - e. The permit holder shall implement "quiet hours" in which no animals are allowed outdoors before 7:00 am or after 8:00 pm, aside from brief periods of time for waste elimination.
  - f. The boarding shed shall be both heated and cooled.
9. The permit holder may employ up to one two additional employees to be present at any given time.
10. The permit holder shall comply with all relevant Minnesota Statutes and Rules regarding animal welfare and humane standards.
11. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit 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 Interim 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.

12. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by Becky Meyer and/or William (Bill) Lloyd.
13. Any expansion of the use, including footprint of the boarding shed and/or outdoor play area or the number of animals, shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
14. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

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On motion by Dahlberg, seconded by Greene, the Board moved to approve Resolution No. 23/0719-2, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Preliminary Plat of Blue Ribbon Tree Farm located North of 400<sup>th</sup> Street and south of 410<sup>th</sup> Street / CR 81 on the east side of Sunrise Road / CSAH 9 in Sunrise Township, (PID #09.00119.00). The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

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**RESOLUTION NO: 23/0719-2**  
**APPROVAL OF THE PRELIMINARY PLAT OF BLUE RIBBON TREE FARM**

**WHEREAS**, property owners John Swanson & Janet Swanson and applicant Milo Horak submitted an application dated received May 31, 2023 and considered complete on June 2, 2023 for the Preliminary Plat of Blue Ribbon Tree Farm; and

**WHEREAS**, the applicant submitted a revised Preliminary Plat drawing dated June 15, 2023 showing that the proposed dedication of 33' for 405<sup>th</sup> Street North had been eliminated upon recommendation by Sunrise Township; and

**WHEREAS**, the property owners desire to create two buildable parcels from the 26.4± acre subject site; and

**WHEREAS**, the subject site is generally located north of 400<sup>th</sup> Street and south of 410<sup>th</sup> Street / CR 81 on the east side of Sunrise Road / CSAH 9 in Sunrise Township and is zoned Agricultural (AG) District; and

**WHEREAS**, the subject site is legally described as:

PID 09.00119.00

That part of the Southeast Quarter of the Northwest Quarter (SE1/4 of NW 1/4) of Section Nine (9), Township Thirty-five (35) North, Range Twenty (20) West, Chisago County, Minnesota, lying easterly of County State Aid Highway Number Nine (9).

**WHEREAS**, notice was provided and on July 6, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant and/or property owner(s), and invited members of the public to comment; and

**WHEREAS**, the Planning Commission finds that the Preliminary Plat of Blue Ribbon Tree Farm is consistent with the intent of the County's Zoning and Subdivision Ordinances.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA**, that the request for Preliminary Plat is hereby recommended for approval, subject to the following conditions:

1. The Preliminary Plat of Blue Ribbon Tree Farm is approved per plat drawing dated signed May 31, 2023 and revised on June 15, 2023. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. Access permits shall be required from the Chisago County Highway Department.
3. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
4. The applicant shall submit request for Final Plat within one year following approval of the Preliminary Plat unless an extension of time is requested by the applicant and granted by the County Board upon recommendation of the Planning Commission.

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On motion by Dunne, seconded by Dahlberg, the Board moved to enter into a Joint Powers Agreement for the treatment of Nonnative Phragmites on lakes located in Chisago County and within the Chisago Lakes Lake Improvement District. 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 agreement by and between Chisago County and WSB in support of the Chisago Lakes Lake Improvement District 2023 Common Carp East Zone Carp Baseline Data Collection project as presented. 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 2023 CLLID Budget Reallocation/Adjustment Request. 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 accept the July



12<sup>th</sup> Budget and Finance Report, moved to approve the 3 County Attorney positions requested by County Attorney Janet Reiter but recommended hiring on January 1<sup>st</sup> 2024, moved to approve using ARPA funding of \$40,600 from the Jail Demo ARPA allocation to fund the Update to “LENS” Record Management System, moved to approve using ARPA funding of \$5,500 from the Jail Demo ARPA allocation to fund Phase 2 Vendor Scanning project, moved to approve using ARPA funding of \$61,119.25 from the Jail Demo ARPA allocation to fund the Government Center Elevator Repair, moved to approve using \$29,480.00 unallocated 2023 CIP funds to fund improving Center City Public Works Cellular Service, moved to approve the hiring of three (3) contracted Community Health Workers in the Public Health Department. 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 contract between Chisago County and Leah Killian-Smith and Jonah Smith. 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 Agreements 215, 216, and – TRIO Wolf Creek, City of Lindstrom and Chisago County Parks. 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 the Opioid Expense for County Staff time during Quarter 2 of 2023. 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 agreement between the County and Tybex Technologies for the LENS Records Management Software Upgrades. 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 appoint Mr. Allen Siedow to the Chisago County Park Board to complete the 1/4/2022 – 1/4/2023 term. 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 Dahlberg, seconded by Greene, the Board moved to adjourn the meeting at 8:14 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None.

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Ben Montzka, Chair

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