

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
Wednesday, July 20, 2016**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, July 20, 2016 at the Chisago County Government Center with the following Commissioners present: Greene, McMahon, Montzka, Robinson, Walker. Also present: Assistant County Attorney Kristine Nelson Fuge, County Administrator Bruce Messelt, and Clerk of the Board Chase Burnham.

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

Commissioner McMahon offered a motion to approve the agenda. Motion seconded by Greene and upon a vote being taken thereon, the motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

The Chair opened the Road and Bridge Committee of the Whole at 6:30 p.m.

The Board was given updates on the following current projects of the Public Works Department from Highway Engineer Joe Triplett; Project Updates, State Aid Advance Construction Resolution, 2020-2021 HSIP Solicitation, County Ditch #9, Otta Seal Project and the City of Wyoming Project. *No action was taken.*

On motion by Greene, seconded by Montzka, the Board moved the 1-5 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

At 6:52 p.m. the Chair closed the Road and Bridge Committee of the Whole.

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

- 1.) Accept County Engineer's Report
- 2.) R&B Committee Recommendation: Award and Approval of S.P. 013-030-005 2016 HSIP Project
- 3.) R&B Committee Recommendation: Revised 2016 Advance Construction Resolution

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**RESOLUTION NO. 16/0720-1  
REVISED 2016 ADVANCE CONSTRUCTION RESOLUTION**

**WHEREAS**, the County of Chisago is planning to implement County State Aid Street Project(s) in 2016 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

**WHEREAS**, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

**WHEREAS**, the advance is based on the following determination of estimated expenditures:

Account Balance as of date 1/1/16	\$ 3,375,000
Less estimated disbursements:	
Project #SP 013-624-007	\$ 1,600,000
Project #SAP 013-626-005	\$ 2,500,000
Project #SAP 013-636-002	\$ 350,000
Project # _____	\$ _____
Bond Principle (if any)	\$ 435,000
Project Finals (overruns-if any)	\$ 1,000,000
Other _____	\$ _____
Total Estimated Disbursements	\$ 5,885,000
Advance Amount (amount in excess of acct balance)	\$ 2,510,000

**WHEREAS**, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

**WHEREAS**, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

**NOW, THEREFORE, BE IT RESOLVED:** That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Chisago in an amount up to \$ 2,510,000 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

- 4.) R&B Committee Recommendation: Request for Funding from County Ditch 9 Fund
- 5.) R&B Committee Recommendation: Request to Convene Chisago County Regional Rail Authority
- 6.) Approve Minutes from July 6, 2016 County Board Meeting
- 7.) Authorize Payment of the County's Warrants and Miscellaneous Bills
- 8.) Sale of a Parcel of Tax Forfeited Land to the Lent Township for the Appraised Value

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**RESOLUTION 16/0720-2**  
**SALE OF A PARCEL OF TAX FORFEITED LAND TO THE LENT TOWNSHIP**  
**FOR THE APPRAISED VALUE**

**WHEREAS**, The Township of Lent meets the requirements of M.S. 282.01, subdivision 1a, paragraph b, as a local government subdivision;

**WHEREAS**, the Township of Lent by resolution has requested to purchase tax forfeited parcel 05.00625.08 at the appraised value pursuant to M.S. 282.01, subdivision 1a, paragraph b.

**NOW, THEREFORE, BE IT RESOLVED** That the Chisago County Board of Commissioners approve the purchase by the Township of Lent of tax forfeited parcel 05.00625.08 for \$200 plus related fees and costs.

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9.) Application for an Exempt Gambling Permit – Chisago Lakes Sportsmens Club

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**RESOLUTION NO. 16/0720-3**  
**APPROVING SUBMISSION OF AN EXEMPT PERMIT FOR GAMBLING FOR**  
**THE CHISAGO LAKES SPORTSMENS CLUB**

**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 application for An exempt permit for lawful gambling activity for the Chisago Lakes Sportsmens Club at the Chisago Lakes Sportsmens Club, located at 11624 Lake Lane, Lindstrom, MN 55045.

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Environmental Services and Zoning Director Kurt Schneider updated the Board on the activities of the Environmental Services Department; Board of Adjustment Update, Planning Commission Update, Construction Update, Swedish Immigrant Trail East End Construction/Completion, Solar Project Monitoring Update, Upcoming Planning Commission Items. *No action was taken.*

On motion by McMahon, seconded by Montzka, the Board moved to accept the Environmental Service Director's Report. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to adopt the Resolution Opting-Out of the Requirements of Minnesota Statutes, Section 394.307, as

recommended by the Planning Commission. The motion **carried** as follow: **IN FAVOR THEREOF:** Greene, McMahan, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION 16/0720-4**  
**OPTING-OUT OF THE REQUIREMENTS OF**  
**MINNESOTA STATUTES, SECTION 394.307**

**WHEREAS**, on May 12, 2016, the Governor of Minnesota signed into law Chapter 111 of the 89th Legislature of the State of Minnesota establishing definitions and requirements for Temporary Family Health Care Dwellings, which was introduced during the 2016 legislature session as Senate File 2555 and House File 2497; and

**WHEREAS**, Chapter 111 amends Minnesota Statute § 394 which regulates county permitting and zoning processes by establishing new rules for the placement of Temporary Family Health Care Dwellings on residential property; and

**WHEREAS**, the Minnesota Association of County Planning and Zoning Administrators, the professional association for county planning and zoning staff in Minnesota, supports the concept of Temporary Family Health Care Dwellings; and

**WHEREAS**, Chapter 111 erodes local control of the permitting process; limiting a county’s ability to foster and guide development, and placing undue burden on county staff to forego standard permitting practices; and

**WHEREAS**, it is the intent of the Chisago County Board of Commissioners to protect the public health, safety, and general welfare of County residents and the environment of the County; and

**WHEREAS**, subdivision 9 of Minnesota Statute § 394.307 allows a county to “opt-out” of the regulations through the passage of a county board resolution; now therefore,

**BE IT RESOLVED**, Chisago County elects to regulate Temporary Family Health Care Dwellings through the already existing permitting standards of Section 4.11 the Chisago County Zoning Ordinance; and

**BE IT RESOLVED**, pursuant to authority granted by Minnesota Statutes, Section 394.307, Subdivision 9, the County of Chisago opts-out of the requirements of Minnesota Statute 394.307, which defines and regulates Temporary Family Health Care Dwellings.

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On motion by Walker, seconded by Greene, the Board moved to approve the resolution, which graciously accepts the \$500.00 donation to the Chisago Children’s Festival, via the Chisago County Environmental Services Department. The motion

**carried** as follow: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION NO. 16/0720-5**  
**ACCEPTANCE OF DONATION BY CHISAGO COUNTY**  
**ON BEHALF OF THE CHILDREN’S WATER FESTIVAL**

**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 Environmental Services Department for the Children’s Water Festival has received a donation from the Stacy Lent Fire Department 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 \$500 from the Stacy Lent Fire Department to be received by the Environmental Services Department.

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At 7:08 p.m. the Chair opened Citizen Forum. 0 Citizens spoke; the Chair closed Citizen Forum at 7:08 p.m.

On motion by McMahon, seconded by Walker, the Board moved to accept the End-of-June 2016 Financial Report as presented; to approve by Resolution Declaring the County’s intent to seek private CPA auditing services for 2017 and 2018 fiscal years; and to direct the County Auditor/County Treasurer and County Administrator to continue with the 2017 Budget preparations accordingly. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION 16/0720-6**  
**DECLARING CHISAGO COUNTY’S INTENT TO RETAIN A CPA FIRM**  
**TO PERFORM ITS ANNUAL FINANCIAL AUDIT**

**WHEREAS,** Minnesota Statutes, section 6.481, subdivision 2 requires counties to have an annual financial audit; and

**WHEREAS,** Minnesota Statutes, section 6.481, subdivision 2 permits counties to “choose to have the audit performed by the state auditor, or may choose to have the audit performed by a CPA firm”; now, therefore;

**BE IT RESOLVED,** Chisago County chooses to retain the services of a CPA firm, which meets the requirements established in Minnesota Statutes, section 326A.05, for its annual financial audit.

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On motion by McMahon, seconded by Walker, the Board moved to approve the contract for the upgrade of the County Attorneys LENS application and authorize the Chisago County M.I.C.S. Director to issue the required purchase orders for the procurement of this equipment. The motion **carried** as follows: **IN FAVOR THEREOF:** McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Montzka, seconded by Walker, the Board moved to approve the County of Chisago State Health Improvement Program Grant Program Grant Agreement for Chisago Lakes Middle School and Chisago Lakes High School. The motion **carried** as follows: **IN FAVOR THEREOF:** McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to approve the contract with Turnkey Corrections for the Jail Commissary Program. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Walker, seconded by McMahon, the Board moved to accept the Human Resources Update from April 1, 2016 to June 30, 2016. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

County Administrator Bruce Messelt provided the following Administrator updates: high water concerns on the St. Croix River, Monitoring flooding in Counties in northern Minnesota. *No action was taken.*

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

On motion by Montzka, seconded by Walker, the Board adjourned the meeting at 7:24 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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Mike Robinson, Chair

Attest: \_\_\_\_\_  
Chase Burnham  
Clerk of the Board