

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Tuesday, January 3, 2017**

At 2:01 p.m., Tuesday, January 3, 2017 in the Board Room of the Government Center, the Clerk of the Board convened the Annual Business Meeting of the Chisago County Board of Commissioners with the following members present: Greene, McMahon, Montzka, Robinson and Walker. Also present: County Administrator Messelt, County Attorney Reiter, and Clerk of the Board Burnham.

The Clerk of the Board led the assembly in the Pledge of Allegiance.

County Auditor swore in the newly elected Commissioners Greene, McMahon and Robinson. County Assessor Keefe was also sworn in.

The Clerk of the Board called for a motion to approve the Agenda.

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

The Clerk of the Board then called for nominations for Chair for 2017.

Commissioner Greene nominated Commissioner Montzka. Upon multiple calls, there were no other nominations.

The Clerk then called for a roll call vote of the candidates: Commissioner Robinson voted for Commissioner Montzka. Commissioner Montzka voted for Commissioner Montzka. Commissioner Greene voted for Commissioner Montzka. Commissioner Walker voted for Commissioner Montzka. Commissioner McMahon voted for Commissioner Montzka, whereupon the Clerk declared Commissioner Montzka as Chair of the Board for 2017.

The newly declared Chair for 2017, Commissioner Montzka, called for nominations for Vice Chair for 2017.

Commissioner Greene nominated Commissioner McMahon. Upon call, there were no other nominations.

The Chair then called for a vote of the candidates and asked for a voice vote: Those in favor of Commissioner McMahon for Vice Chair please say ‘aye,’ all the commissioners voted ‘aye,’ whereupon the Chair declared Commissioner McMahon as Vice Chair of the Board for 2017.

New Chair Montzka provided some opening remarks.

On motion by McMahon, seconded by Greene, the Board adopted Roberts Rules of Order, most recently revised edition, as practiced by the County Board, as the parliamentary procedures guide for its meetings. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

Commissioner Greene offered a motion to adopt the Rules of Conduct for Chisago County Board Meetings, as was used for 2016. Motion seconded by McMahon. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None. The Board adopted the following Rules of Conduct for Chisago County Board Meetings:

**CHISAGO COUNTY BOARD OF COMMISSIONERS
RULES OF CONDUCT
FOR CHISAGO COUNTY BOARD MEETINGS**

PURPOSE

The purpose of these rules is to set a standard of conduct and to guide the Board and the citizens we serve in the processing of the meeting's agenda.

RULES OF CONDUCT

1. All attendees of County Board meetings are subject to these rules of conduct under the authority of the board as expressed in Minnesota Statutes and/or Roberts Rules of Order.
2. The Chair of the Board conducts the meeting and exercises authority to:
 - a.) assure compliance with the meeting's agenda, and;
 - b.) facilitate fair and equitable treatment of Board members, citizens and staff; and
 - c.) ensure orderly conduct by all present.
3. Votes of the Board may be taken by voice vote or by ballot.
 - a.) Voice. Each commissioner shall vote with an audible voice vote, whether "yes", "no" or "abstain." If the chair is uncertain as to how a member has voted, he or she may require a roll call vote. A chair may also require a roll call vote on any matter in which he or she determines it would be helpful to the conducting of business. Once cast, the vote of each commissioner shall be recorded in the official minutes of the Board.
 - b.) Ballot. A chair may require a vote by ballot on any issue in which he or she determines it would be helpful to the conducting of business. Commissioners shall designate their vote, "yes," or "no," or "abstain." The votes shall be collected by the teller and read aloud by the Clerk to the Board, identifying each vote, by whom it was cast and the vote that was intended. The vote of each commissioner shall be recorded in the official minutes of the Board.
4. Board Members must treat everyone with respect and dignity and in a friendly manner. Failure to comply will result in:
 - a.) being ruled out of order; or
 - b.) being asked to leave the meeting; or
 - c.) if necessary, being removed from the meeting.
5. Citizens are invited to participate in the meeting by:
 - a.) observing the proceedings through attendance in the Board Room;
 - b.) offering comments and observations during the Citizen's Forum portion of meetings;
 - c.) viewing the proceedings via cable television *or other electronic means, if available;*

- d.) when called for through public notice, offering comments during public hearings on specific topics or proposals.
- 6. Citizen's Forum portions of Board meetings shall be subject to the following conditions:
 - a.) comments and observations shall be directed to the Board *as a whole* and not *to the individual Commissioners or to the audience*.
 - b.) Speakers shall register their names in the meeting's log book prior to the beginning of the Citizen's Forum. Speakers may also register their addresses and telephone numbers in such book. Speakers are advised that once given, their addresses and telephone numbers are public information.
 - c.) Such comments and observations shall be limited to three (3) minutes.
 - d.) Board meeting agendas shall contain the following statement: "The Citizen's Forum is provided so you may make a comment, statement, question or proposal. *Comments, statements, questions or proposals shall be directed to the Board as a whole, and not to individual Commissioners or to the audience.* You will be limited to three (3) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak that night".
- 7. Electronic recording devices should not disrupt the conduct of the meeting or interfere with the ability of others to observe the meeting due to the height or size, based upon standing more than 3 feet off the floor and/or larger than 4" x 6" x 2" in size. All video cameras should be moved to the back of the County Boardroom.
- 8. These rules may be modified by the Chisago County Board of Commissioners upon majority vote at any regular or special Board meeting.

Commissioner Walker offered a motion to adopt the meeting schedule via the attached resolution. Motion seconded by McMahan. The original motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahan, Montzka, Robinson, Walker **OPPOSED:** None.

**RESOLUTION NO. 17/0103-1
DEFINING THE 2017 MEETING SCHEDULE
FOR THE CHISAGO COUNTY BOARD OF COMMISSIONERS**

BE IT RESOLVED, by the Chisago County Board of Commissioners that next regular meeting will be held on Wednesday, January 18th, 2017 at 6:30 p.m.; and

BE IT FURTHER RESOLVED, by the Chisago County Board of Commissioners that from and after January 3rd, 2017, regular meetings of the Chisago County Board of Commissioners shall be held in Room 160 of the Chisago County Government Center, located in Center City, Minnesota, on the first and third Wednesday of each month; and

BE IT FURTHER RESOLVED, the meetings on the first Wednesday of each month shall be held commencing at 6:30 p.m. starting with the Health & Human Services Committee of the Whole and followed by the Citizen's Forum at 7:00 p.m.; and

BE IT FURTHER RESOLVED, the meetings on the third Wednesday of each month

shall be held commencing at 6:30 p.m. starting with the Road & Bridge Committee of the Whole and followed by the Citizen's Forum at 7:00 p.m.; and

BE IT FURTHER RESOLVED, that if any such regularly scheduled meeting of the County Board falls on a legal holiday pursuant to Section 645.44, Sub.d.5, Minnesota Statutes, the regular meeting of the County Board shall be held on the day following such legal holiday; and

BE IT FURTHER RESOLVED, Special Meetings may be called by posting notice of the meeting on the County's principal bulletin board and with 72 hour notice to each person who has filed a written request for such meetings; and

BE IT FURTHER RESOLVED, Emergency Meetings may be called when circumstances require immediate consideration by the Board; in such case, a good faith effort will be made to contact the media and to each person who has filed a written request for such meetings.

On motion by Greene, seconded by McMahon, the Board established the 2017 mileage reimbursement rate equal to the federal maximum allowable rate; as of this date it is \$.535 per mile and established the 2017 mileage reimbursement rate at \$.35 per mile, when at the driver's discretion, a personal vehicle is used, rather than an available "County Pool" vehicle. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by McMahon, seconded by Walker, the Board moved to accept the 2017 Commissioner's Committee Listing designated at today's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by McMahon, the Board moved to designate the Chisago County Press as the official newspaper for Official Publications for 2017-2019, subject to annual reaffirmation. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by McMahon, seconded by Greene, the Board moved to approve the Consent Agenda items 10 – 12. The motion carried as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson **OPPOSED:** None **ABSENT:** Walker.

1.) Payment of County's Warrants and Miscellaneous Bills

Bills Paid 1/9/2017 \$596,883.85

Authorize Payment of County's Warrants for HHS:

<u>Prepared Check Date</u>	<u>Amount</u>	<u>Mail Date</u>	<u>Type of Payment</u>
12/23/2016	\$213,590.72		County's Warrants

12/23/2016	\$66,778.70	01/03/2017	Auditor's Warrants
12/30/2016	\$37,981.51		County's Warrants
12/30/2016	\$17,527.50	01/03/2017	Auditor's Warrants

Special Board Approval

Mileage Over 60 Days

Christine Hanson - \$109.23
Annette Spehar - \$90.18

- 2.) Minutes from the December 21st, 2016 Regular Meeting
- 3.) Confirm Appointment of John E. Keefe County Assessor (Term: 2017-2020)

On motion by McMahon, seconded by Greene, the Board re-appointed Frank Storm as District #4 representative on the Board of Adjustment; effective January 3, 2017 thru January 3, 2020. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Robinson, seconded by McMahon, the Board re-appointed Janet Schweigert as District #5 representative on the Extension Committee; effective January 3, 2017 thru January 3, 2020. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by Robinson, the Board appointed Daniel Kaiser as District #2 representative on the Park Board; effective January 3, 2017 thru January 3, 2020. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by McMahon, the Board re-appointed Jill Sicheneder as District #4 representative on the Park Board; effective January 3, 2017 thru January 3, 2020. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Walker, seconded by McMahon, the Board appointed Jim Froberg as District #1 representative on the Planning Commission; effective January 3, 2017 thru January 3, 2020. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by McMahon, seconded by Walker, the Board appointed Frank Strom as District #4 representative on the Planning Commission; effective January 3, 2017 thru January 3, 2017. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by McMahon, seconded by Walker, the Board appointed Cathy Bennett as a District #3 representative on the HRA-EDA; effective January 3, 2017 thru January 5, 2022. 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 approve the attached resolution affirming the County's policy regarding routine Personnel and Human Resource Actions. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

RESOLUTION NO. 17/0103-2
DELEGATING CERTAIN HUMAN RESOURCE AND
PERSONNEL FUNCTIONS TO COUNTY ADMINISTRATOR

WHEREAS, Minnesota Statute § 375.18, subd. 2 provides that a County Board has the power to manage county business and make orders concerning them as it deems expedient; and

WHEREAS, Minnesota Statute § 375A.06 sets forth the functions of the County Administrator as exercising general supervision over all county institutions and agencies and responsible for proper administration of county affairs, with those relating to certain Human Resources and Personnel management requiring approval of the County Board; and

WHEREAS, the County Attorney has opined that certain elements of such personnel and human resource functions may be delegated to the Administrator at the discretion of the County Board.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Chisago County that the following Personnel and Human Resource functions are hereby delegated to the Administrator:

- Routine, perfunctory Step Increases for County employees, when duly included in the Board-approved Annual Budget and in Board-approved labor agreements (represented) and personnel policies (non-represented).
- Routine recruitment, selection and hiring processes for County employees below the level of Department Director, pursuant to County Personnel Policies and Procedures, when such position's FTE is duly established and when such position's funding is included in the Board-approved Annual Budget.
- Those personnel actions relating to employee retirement, resignation, discipline and termination of County employees below the level of Department Director, pursuant to federal and state statutes and subject to County Board-approved labor agreements, and personnel policies and procedures.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the County Board of Chisago County that such delegation, intended to facilitate more timely action on certain personnel issues and increasing organizational efficiency, will be annually reviewed and affirmed by the County Board.

On motion by McMahon, McMahon moved to set February 1st, 2017 as the date for the public hearing on the proposed moratorium on kennels, publish notice announcing the February 1st Public Hearing date, and publish the proposed Interim Zoning Ordinance Instituting a Moratorium on Kennels. The motion **died** for a lack of second. On motion by Greene, seconded by Robinson, the Board moved to refer commercial and residential dog kennels to the Planning Commission for review. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson **OPPOSED:** Walker.

On motion by McMahon, seconded by Greene, the Board moved to set February 1st, 2017 as the date for the public hearing on the proposed Moratorium on cemeteries, burial grounds, columbariums and ossuaries, publish notice announcing the February 1st Public Hearing date, and publish the proposed Interim Zoning Ordinance Instituting a Moratorium on cemeteries, burial grounds, columbariums and ossuaries. McMahon made a motion **to call the question.** The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka **OPPOSED:** Robinson, Walker. McMahon's original motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka **OPPOSED:** Robinson, Walker.

On motion by McMahon, seconded by Greene, the Board moved to reconsider the February 1st, 2017 date for the public hearing on the proposed moratorium on cemeteries, burial grounds, columbariums and ossuaries. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by McMahon, the Board moved to set March 15th, 2017 as the date for the public hearing on the proposed Moratorium on cemeteries, burial grounds, columbariums and ossuaries, publish notice announcing the March 15th Public Hearing date, and publish the proposed Interim Zoning Ordinance Instituting a Moratorium on cemeteries, burial grounds, columbariums and ossuaries. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson **OPPOSED:** Walker.

On motion by Greene, seconded McMahon, the Board moved to authorize the execution of a Lease for Office Space for U.S. Congressman Rick Nolan for the term of January 3rd, 2017 through January 2nd, 2019. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

The Chair opened the Citizen's Forum at 3:18 p.m. 0 citizen spoke at the meeting. The Chair closed the Citizen's Forum at 3:18 p.m.

On motion by McMahon, seconded by Walker, the Board moved to approve Health Partners approval of the summary plan descriptions for medical plans and dental plans for 2017 along with the renewal rates for 2017. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None

County Administrator Messelt provided the following updates: East Central Housing Organization meeting, Reminder for Training for the Board of Appeal and Equalization, there is Cake and Coffee after the meeting in celebration for the newly elected commissioners.

On motion by McMahon, seconded by Walker, the Board adjourned at 3:21 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

Ben Montzka, Chair

Attest: _____
Chase Burnham
Clerk, County Board