

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, January 17, 2018**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, January 17, 2018 at the Chisago County Government Center with the following Commissioners present: Greene, McMahon, Montzka, Robinson. Commissioner Walker appeared via Electronic Means pursuant to MN Stat. 13D.015. 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 Greene offered a motion to approve the agenda. Motion seconded by Montzka 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 County Administrator Bruce Messelt; CSAH 19 Project Right Away Acquisition, County Ditch Committee Update. *No action was taken.*

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

On motion by Greene, seconded by Montzka, the Board moved items 2 – 5 to the Consent Agenda. 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 close the Road and Bridge Committee of the Whole. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

At 6:38 p.m. the Chair closed the Road and Bridge Committee of the Whole.

On motion by Greene, 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 – Agency Delegated Contracting Agreement with Mndot

RESOLUTION NO. 18/0117-01
AGENCY DELEGATED CONTRACTING AGREEMENT WITH MNDOT

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the Chisago County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Chairman and the Clerk are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1030013“, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

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- 3.) R & B Committee Recommendation – Support for Sponsoring City of Taylors Falls Safe Routes to School Grant Funding App.

RESOLUTION NO. 18/0117-02
RESOLUTION AGREEING TO BE SPONSORING AGENCY
FOR THE TAYLORS FALLS SAFE ROUTES TO SCHOOL PROGRAM

WHEREAS, Chisago County has been involved with the Taylors Falls’ Safe Routes to School planning program since November of 2015; and

WHEREAS, at the completion of the planning portion of the program the City submitted a letter of intent to the East Central Regional Development Commission requesting the opportunity to submit a full application for a infrastructure grant; and

WHEREAS, in November of 2017 the City of Taylors Falls was invited to submit such grant requiring Chisago County to be the sponsoring agency; and

WHEREAS, the City of Taylors Falls will provide the necessary match to the project so as the financial burden will not be passed on to Chisago County residents,

NOW, THEREFORE, BE IT RESOLVED BY THE CHISAGO COUNTY BOARD OF COMMISSIONERS that Chisago County agrees to act as sponsoring agency for a transportation alternatives project identified as Taylors Falls Safe Routes to School and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all

applicable laws, rules and regulations.

BE IT FURTHER RESOLVED, that Chisago County Engineer, Joe Triplett is hereby authorized to act as agent on behalf of this sponsoring agency.

**RESOLUTION NO. 18/0117-03
RESOLUTION AGREEING TO MAINTAIN FACILITY**

WHEREAS, The Federal Highway Administration (FHWA) requires that state aid agencies (sponsor) agree to operate and maintain facilities constructed with the federal transportation funds for the useful life of the improvement and not change the use of right-of-way or property ownership acquired without prior approval from the FHWA; and

WHEREAS, Transportation Alternatives projects receive federal funding; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds, this requirement should be applied to the project proposer; and

WHEREAS, Chisago County is the sponsoring agency for the transportation alternatives project identified as Taylors Falls Safe Routes to School.

NOW, THEREFORE, BE IT RESOLVED BY THE CHISAGO COUNTY BOARD OF COMMISSIONERS that the sponsoring agency hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned transportation alternatives project.

- 4.) R & B Committee Recommendation – Acquisition by Eminent Domain for CSAH 19 Projects
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**RESOLUTION NO. 18/0117-04
AUTHORIZING THE ACQUISITIONS OF SAID LAND
ON COUNTY STATE AID HIGHWAY 19
BY EMINENT DOMAIN**

WHEREAS, Chisago County proposes to construct and improve CSAH 19 from Interstate 35 to Anoka County; and

WHEREAS, the improvement consists of realigning and reconstructing said roadway as herein determined necessary to provide for the safety of the traveling public; and

WHEREAS, fee interests and highway easements over certain lands are required to provide for said construction, as identified in attached Exhibit A; and

WHEREAS, Chisago County has authority to acquire right-of-way for said Highway by eminent domain pursuant to Minn. Stat. § 163.02, subd. 2; and

WHEREAS, Chisago County has the right to acquire the right-of-way prior to the filing of an award by the court appointed commissioners, pursuant to Minn. Stat. § 117.011 and § 117.042; and

WHEREAS, the following persons own or have an interest in a portion of said lands required for fee interest and highway easements, as identified in attached Exhibit B; and

WHEREAS, Chisago County has been unable to successfully negotiate the acquisition of the required fee interests and highway easements; and

NOW THEREFORE BE IT RESOLVED, that the Chisago County Board of Commissioners hereby authorizes the acquisition of said land by eminent domain and to take title and possession of that land prior to the filing of an award by the court appointed commissioner, pursuant to Minn. Stat. §163.02, subd. 2; §117.011; and §117.042; and

BE IT FURTHER RESOLVED, that the Chisago County Attorney is requested to file the necessary Petition therefore, and to prosecute such action to a successful conclusion or until it is abandoned, dismissed, or terminated by the County or the Court.

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- 5.) R & B Committee Recommendation – Out-of-State Travel Request – Joe Triplett, National Assoc. County Eng. Wisconsin Dells
 - 6.) Approve Minutes from January 2, 2017 Meeting
 - 7.) Authorize Payment of the County’s Warrants and Miscellaneous Bills

Bills Paid 1/9/2018 \$315,470.07

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>
1/12/2018	\$114,066.84		County’s Warrants
1/12/2018	\$67,159.57	1/17/2018	Auditor’s Warrants

- Lake Area Bank; Tracy Armistead; Sheriff; supplies; \$218.79
- Lake Area Bank; Chase Burnham; Admin.; Conference; \$356.59
- Lake Area Bank; Amy Chavez; Probation; supplies; \$773.11
- Lake Area Bank; Janet Converse; Recorder; training; \$275.00
- Lake Area Bank; Richard Duncan; Sheriff; supplies; \$555.25
- Lake Area Bank; Jon Eckel; MICS; conference, supplies; \$264.59
- Lake Area Bank; Dennis Freed; Auditor; supplies; \$143.40
- Lake Area Bank; Keith Hoppe; Sheriff; supplies; \$165.71
- Lake Area Bank; Tammy Johnson; HHS; supplies; \$178.09
- Lake Area Bank; John Keefe; Assessor; training; \$75.50

Lake Area Bank; Renee Kirchner; Human Resources; supplies; \$486.12
 Lake Area Bank; Tracy Krona; HHS; supplies; \$220.17
 Lake Area Bank; Bruce Messelt; Admin.; parking; \$13.00
 Lake Area Bank; Lori Olson; Sheriff; supplies; \$98.14
 Lake Area Bank; Janet Reiter; Attorney; registration; \$799.00
 Lake Area Bank; Kurt Schneider; Environmental; registration; \$70.00

Jail/LEC Project

U.S. SiteWork Inc.	\$73,791.61	Summit Fire Protection	\$8,984.19
Eagle Const. Co. Inc.	\$3,574.85	Weidner’s Plumb & Heat	\$46,550.00
Blanshan Const.	\$57,475.00	Thelen Heating and Roofing	\$17,480.00
Aaron Carlson Corp.	\$97,534.08	NAC Mechanical and Elec.	\$90,820.00
John A. Dalsin & Son	\$10,659.00	Thurnback Steel Fabric.	\$11,027.60
AJ Spanjers Co.	\$35,150.00	Bartley Sales	\$529.15
R&H Drywall Inc.	\$26,224.54	Contegrity Group Inc.	\$17,720.65
MCI Inc.	\$5,072.24	Contegrity Group Inc.	\$9,349.32
Cullinex	\$15,181.72		
Pauly Jail Build. Co.	\$35,040.33		

****** All Bills and Receipts Available with the Clerk of the Board ******

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/Permit Activity, SIRT Connection Project Land Acquisition is complete, ‘One Watershed, One Plan’ Pilot Program progressing. *No action was taken.*

On motion by Robinson, seconded by Greene, the Board moved to approve the Branden Mell Conditional Use Permit at 50187 Clover Trail (Nessel Township, PID #06.0515.00) to allow a 30 campsite seasonal campground, with Findings and Conditions as recommended by the Planning Commission and/or as amended at tonight’s meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

CONDITIONS:

1. This is a phased Conditional Use Permit to establish and operate a recreational campground for a maximum of 30 campsites.
2. For purposes of outlining the phased-in land use impacts expected to be generated by this campground, the phases of the CUP shall generally be described as follows:

Phase I: 2017 – 2020 - Site preparation for first six campsites, partial installation of septic system to serve 15 sites, opening of Sites 1-6.

Phase II: 2020 – 2021 – Site preparation for sites 7-21, installation and/or monitoring of septic for capacity to serve up to 21 sites, opening of Sites 7–14.

Phase III: 2022 - Opening of remaining sites 15-30, continued monitoring of septic system, with expansion if needed.

3. The campground manager shall establish and enforce the resort policies as described in the document entitled “Humble Swede Resort – Resort Rules” as an associated condition of approval of this Conditional Use Permit.
4. This campground shall adhere to and be operated in accordance with all applicable Minnesota Department of Health regulations.
5. The on-site sewage treatment system shall be designed, constructed, monitored and maintained in accordance with all application Minnesota Pollution Control Agency regulations.
6. The permittee shall adhere to all applicable Minnesota Department of Natural Resources regulations, including acquisition of any necessary permits and approvals to establish a marina, docks and boat-slips to serve his campground.
7. The park owner shall execute and maintain a mutually satisfactory contractual agreement with Nessel Township for a cost share on road maintenance along the agreed-upon designated portion of 500th Street west of the campground entrance, and/or as shall be amended or appended to by mutual consent. (Specifically, at the time of original approval of this CUP, dust control on 500th Street extending east from Bayview Avenue to Clover Trail, except for the first 1000 feet of 500th Street east of Bayview, to commence upon the first day of occupancy of the campground.”)
8. RVs shall remain mounted on wheels and removable in case of flood or other hazard; park model RVs shall be prohibited.
9. Any improvements to RVs (i.e. stairs, decks, screen-porches, sheds) which are regulated by the Minnesota State Building Code shall require building permits and inspections.
10. There shall be no filling, excavating, or other encroachments or impacts to wetlands present on the property.
11. There shall be no development, filling, construction, or other intrusion into the floodplain associated with RV installation and improvements.
12. The permit holder must 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.

On motion by Greene, seconded by Montzka, the Board moved to approve the Interstate State Park Chisago County Regional Trail Segments A and B State Park Segment Cooperative Agreement; and the Segment C Feasibility of State Park Segment Cooperative Agreement to construct the Swedish Immigrant Regional Trail connection to Taylors Falls City Hall and carry out trail feasibility review thru Interstate State Park in a manner consistent with Segment H of the Swedish Immigrant Regional Trail Master Plan. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to accept the Auditor-Treasurer's January – December 2017 initial finance report. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

At 7:02 p.m. the Chair opened Citizen Forum. 2 Citizen spoke; the Chair closed Citizen Forum at 7:07 p.m.

On motion by Greene, seconded by Robinson, the Board moved to approve Move to direct County staff to undertake the following, as recommended by the Budget & Finance Committee:

- Establish a 2019 ARMER Radio Subscriber Fee of \$1,290 per radio (\$630 per radio for direct costs and \$660 per radio for indirect costs);
- Establish an ARMER Radio Replacement Fee of \$890 per radio for 2019-23; and
- Review Chisago County's purchase of replacement Radios in 2019 and establishment of a funded capital equipment replacement program for future refresh cycles.

The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Robinson **OPPOSED:** Montzka, Walker.

On motion by Montzka, seconded by Greene, the Board moved to approve request that the County Sheriff, with the assistance of County staff, meet with the CAD/RMS and Mobile Data Agreement Members to undertake the following, as recommended by the Budget & Finance Committee:

- Revise the Agreement to have the Chisago County Sheriff's Office assigned and designated as a Member.
- Review and agree to Chisago County's purchase of replacement MDCs in 2018 for current Members, as well as to a funded capital equipment replacement program for future refresh cycles.

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

On motion by Greene, seconded by Robinson, the Board moved to approve review and agree to an updated Access Fee for 2019 of \$3,850 per connected device and a mechanism for an annual inflator. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Robinson, seconded by Greene, the Board moved to appoint Frank Storm as a representative on the Park Board; effective January 5th, 2016 thru January 3, 2019. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Montzka, seconded by Walker, the Board moved to appoint Virginia Stark as a representative on the Citizens Review Panel; effective January 5, 2018 thru January 5, 2020. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to appoint Nancy Moe-Mergens as a representative on the Extension Committee; effective January 3rd, 2018 thru January 2nd, 2021. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Montzka, seconded by Robinson, the Board moved to approve the inmate commissary and video visitation contract with TurnKey Corrections Inc. as recommended by the Sheriff's Office and approved as to form by the County Attorney's Office. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Robinson, seconded by Greene, the Board moved to approve the appraisal update from Dwight W. Dahlen, MAI to include the January 2, 2017 Assessment date, and include a replacement Cost Approach for the North Branch Shopko Tax Court Appraisal. 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 approve the purchase and installation of a Synergy, Watson console for use in the Public Safety Center, Master Control station. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to accept the Human Resources Update from October 1, 2017 to December 31, 2017. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

County Administrator Messelt provided the following updates: Correspondence. *No action was taken.*

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

On motion by Robinson, seconded by Greene, the Board adjourned the meeting at 8:22 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

George McMahon, Chair

Attest: _____
Chase Burnham
Clerk of the Board