

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
Wednesday, June 20, 2018**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, June 20, 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: County Attorney Janet Reiter, 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 amended 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 Highway Engineer Joe Triplett; Design Update, Pre-Design Project Update, Construction Update, Public Ditch System Update, CSAH 22 Issue, US Highway 8 Update. *No action was taken.*

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

The Chair closed the Road and Bridge Committee at 6:42 p.m.

On motion by Walker, seconded by Greene, 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.) Approve Minutes from June 6, 2018 Meeting
- 3.) Authorize Payment of the County's Warrants and Miscellaneous Bills
- 4.) 2018 Liquor License Renewals
- 5.) Out-of-State Travel Request – NaCo MN Commissioners Meeting at White House

On motion by Robinson, seconded by Greene, the Board moved to accept the Auditor-Treasurer's January-May 2018 Finance Report, as prepared for the Budget and

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

Environmental Services and Zoning Director Kurt Schneider updated the Board on the activities of the Environmental Services Department; Board of Adjustment and Planning Commission Update, Permit Activity Update, LID Lake Channel Subcommittee's Initial Meeting, SIRT Update, Solar Development Update. *No action was taken.*

At 7:00 p.m. the Chair opened Citizen Forum. 0 Citizen spoke; the Chair closed Citizen Forum at 7:00 p.m.

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

On motion by Robinson, seconded by Greene, the Board moved to approve the Roger Grell request for a Conditional Use Permit Amendment to operate Rush Haven Recreational Campground at 50121 Acacia Lane (PID #06.00443.02), Lot 2, Block 1 Acacia Shores, with Findings and Conditions as recommended by the Planning Commission. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahan, Montzka, Robinson, Walker **OPPOSED:** None.

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**RECOMMENDED CONDITIONS:**

1. This is an amendment to the existing Conditional Use Permit for the historic campground known as Rush Haven, allowing re-establishment of the campground, and an expansion to 39 campsites, as shown on the plans labeled C-1 and dated 4-30-2018.
2. The campground will be phased in development, approximately along this timeline:

**2018**

- Secure sewer permit and build a sewer system sized to run 24 campsites with installation of tanks, lines, and connections for each site
- Site grading for sites 1-24 sometime in June and July
- Install well, water lines and electrical lines for sites 1-24
- Sites open for rental in the middle or end August

**2019-2020**

- Sites 1-24 open for business May 1<sup>st</sup>
- Begin metering water usage with water meters
- Verify actual sewer usage. Expand sewer capacity if necessary.
- Site grading for sites 25-39
- Install water, sewer and electric lines to sites 25-39
- Sites 25-39 open for business

3. The campground manager shall establish and enforce the resort policies as described in the document entitled “Rush Haven Seasonal Campground” as an associated condition of approval of this Conditional Use Permit.
4. Residents of the campground shall be prohibited from using the Township Road known as Acacia Lane, directly to the north, and shall instead ingress and egress directly from County Road 4 (Acacia Trail).
5. This campground shall adhere to and be operated in accordance with all applicable Minnesota Department of Health regulations.
6. The on-site sewage treatment system shall be designed, constructed, monitored and maintained in accordance with all application Minnesota Pollution Control Agency regulations.
7. The permittee shall adhere to all applicable Minnesota Department of Natural Resources regulations, including acquisition of any necessary permits and approvals to establish any future marina, docks and boat-slips to serve this campground.
8. RVs shall remain mounted on wheels and removable; 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. The property shall be made open and available for regular inspection at any time during its regular operation by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agent.
11. 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.

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On motion by Robinson, seconded by Montzka, the Board moved to approve the Susan Wagner request for an Interim Use Permit to operate a residential dog kennel at 50628 Evergreen Court, Rush City, (PID #06.01188.28), Lot 2, Block 1 Nessel’s Estates, with Findings and Conditions as recommended by the Planning Commission. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**RECOMMENDED CONDITIONS:**

1. This permit is an Interim Use Permit to maintain a residential dog kennel at the described property in accordance with the conditions herein specified.

2. The dogs will be housed indoors in the kennel, or in their fenced kennel outdoor runs, apart from scheduled supervised periods of exercise and training in the larger fenced enclosure.
3. Permittee shall control the barking of dogs during exercise periods to avoid undue negative impact to nearby properties.
4. There shall be no retail activity, showroom, pet store sales or other commercial activity conducted as part of the business, apart from the sale of puppies on an appointment-only basis.
5. There shall be a maximum of eleven dogs kept at the property at any one time, except for occasional litters of puppies.
6. Permittee shall comply with all relevant Minnesota Statutes and Rules regarding animal welfare and humane standards.
7. The permit holder must notify the County annually that the activity permitted by the IUP is ongoing, and the activities being conducted continue to adhere to the conditions of approval.
8. This IUP will terminate upon sale of property to anyone outside of the family.

Chisago County Sheriff Brandon Thyen discussed the newly proposed School Resource Officer for Rush City Schools.

On motion by Robinson, seconded by Walker, the Board moved to approve an agreement to provide School Resource Officer Services to the Rush City School District. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahan, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Greene, seconded by Robinson, the Board moved to approve by Resolution the acceptance of a donation of \$65,600.00 from the Chisago County Sheriff's Office Foundation for the Blue Sign Project. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahan, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION NO. 18/0620-X**  
**ACCEPTANCE OF DONATION BY CHISAGO COUNTY**  
**ON THE CHISAGO COUNTY SHERIFFS OFFICE**

**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 Chisago County Sheriff’s Office has received a donation from Mr. John Butterfield and are requesting formal acceptance by the County Board of Commissioners;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chisago County Board of Commissioners hereby accepts;

- \$64,500.00 for Blue Sign Project from the Chisago County Sheriff’s Office Foundation
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On motion by Greene, seconded by Robinson, the Board moved to approve the Out of State Travel Requests to attend the 2018 ProPhoenix National Advanced Training and User Conference for three Sheriff’s Office and one MICS Employees. 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 approve and execute the Grant Agreement and approve the Resolution authorizing acceptance of the State of Minnesota Technology Fee Grant by the Chisago County Attorney’s Office. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION NO. 18/0620-XX**  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE STATE OF MINNESOTA, JUDICIAL BRANCH’S –COURT TECHNOLOGY FUND GRANT BY THE CHISAGO COUNTY ATTORNEY’S OFFICE**

**WHEREAS**, Chisago County for and on behalf of the Chisago County Attorney’s Office, had applied for Technology Grant funds available through the State of Minnesota, Department of Public Safety, Office of Justice Programs, to support the statutorily mandated services, pursuant to Minn. Stat. 611A .

**NOW, THEREFORE BE IT RESOLVED**, by the Chisago County Board of Commissioners, Chisago County, Minnesota, as follows:

1. That Chisago County, for and on behalf of the Chisago County Attorney, hereby approves and authorizes the receipt of grant funds, effective from the execution of the Grant Acceptance through December 2018. The receipt of funds shall be for the implementation of the technology enhancements set forth in the County Attorney’s Office application.
  2. That the Chisago County Attorney, Janet Reiter, is authorized to execute and accept the grant award, and the County Attorney is authorized to sign any amendment or agreements required to implement the technology enhancements to utilize the funds for the specified purpose(s).
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On motion by Montzka, seconded by Greene, the Board moved to approve the Out-of-State Travel Request for Chisago County Attorney Janet Reiter to attend the “Children’s Bureau State Team Planning Meeting” in Washington, DC, on July 16-18, 2018. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Walker, seconded by Montzka, the Board moved to approve appointing the Office of Administrative Hearings to handle the “Potentially Dangerous Dog” Administrative hearing. 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 appoint Commissioners Greene and McMahon to the Chisago County Canvassing Board for both the 2018 Primary and General Elections to be held on August 16, 2018 and November 14th and or/if necessary, November 16, 2018 respectively pursuant to M.S. 204C.31. 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 adopt a the resolution authorizing the Chief Deputy Auditor-Treasurer to enter into and execute JPA with the State of Minnesota to serve as deputy recount official if needed for State Primary and General Elections. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION NO. 18/0620-XX**

**RESOLUTION AUTHORIZING CHIEF DEPUTY AUDITOR-TREASURER TO ENTER INTO AND EXECUTE JOINT POWERS AGREEMENT WITH THE STATE OF MINNESOTA TO SERVE AS DEPUTY RECOUNT OFFICIAL IF NEEDED IN STATE PRIMARY ELECTION**

**WHEREAS**, the State of Minnesota requires recount officials to act for the Minnesota Secretary of State, Elections Office, in the event there is a recount per Minnesota Statutes chapter 204C and Minnesota Rules 8235. Chisago County is qualified to provide those services and the Chief Deputy Auditor-Treasurer is capable of serving as a Deputy Recount Official following either the 2018 Primary Election(s) and/or the 2018 General Election. The State of Minnesota will enter into a joint powers agreement with Local Governmental Units to provide these recount services and will compensate for conducting the recount, if/when a recount is needed.

**NOW, THEREFORE BE IT RESOLVED**, by the Chisago County Board of Commissioners, Chisago County, Minnesota, as follows:

1. That the Chisago County Auditor-Treasurer is hereby approved and authorized to provide election recount services for the 2018 primary election and/or the 2018

general election should a recount be required or warranted; and

2. That the Chisago County Chief Deputy Auditor-Treasurer Bridgitte Konrad is authorized to execute the Joint Powers Agreement and is authorized to sign any subsequent amendment or agreements that may be required by the State of Minnesota to provide the recount services or serve as a Deputy Recount Official for the State of Minnesota.
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On motion by Greene, seconded by Walker, the Board moved to approve the Minnesota Department of Health Community Health Board Grant Project Agreement Amendment #1 – Public Health Emergency Preparedness. 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 approve the County of Chisago State Health Improvement Program Grant Agreements for Rush City Schools, North Branch Community Ed, and the Women’s Environmental Institute at Amador Hill. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

On motion by Walker, seconded by Montzka, the Board moved to approve the contract with Pictometry for Aerial Imagery for 2018-2022. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

County Administrator Messelt provided the following updates: Correspondence, Park Board Legacy Funds for Planning Grants for Sunrise Trail Expansion and SIRT along Highway 8. *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 7:48 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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George McMahon, Chair

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