

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
UNOFFICIAL PROCEEDINGS  
Wednesday, September 19, 2018**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, September 19, 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 Walker offered a motion to approve the amended 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 6:31 p.m.

The Board was given updates on the following current projects of the Public Works Department from County Highway Engineer Joe Triplett; Project Updates: roundabout projects, CSAH 39 (2019), CSAH 25 (2020), Construction Updates, and Public Ditch System Update begins next week.

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

The Chair closed the Road and Bridge Committee at 6:40 p.m.

On motion by Greene, seconded by Robinson, 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 September 5, 2018 Meeting
- 3.) Authorize Payment of the County's Warrants and Miscellaneous Bills
- 4.) Out-of-State Travel Request – Chase Peloquin, Vision User Meeting, Mashantucket, CT

Environmental Services Director Kurt Schneider updated the Board on following activities of the Environmental Services Department; Board of Adjustment and Planning Commission Updates, Tiller Corp. Environmental Worksheet Public Hearing happened

October 4<sup>th</sup>, Permit and Construction Activity Update, Fish Lake Park Master Plan Survey recently completed, HHW Facility usage continues to increase, Swedish Immigrant Regional Trail Update, and Upcoming film viewing of “Power of Minnesota.”

On motion by Greene, seconded by Robinson, the Board moved to approve the State of Minnesota Grant Agreement Environment and Natural Resources Trust Fund contract #146557 authorizing Board Chair signature and County acceptance and affiliated project initiation of a State of Minnesota Legislative Citizens Commission on Minnesota Resources grant in the amount of \$2,254,000 for Swedish Immigrant Regional Trail Segment H. 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 Don Vaughn DKV Demolition Landfill Conditional Use Permit Amendment at 9416 517th Street, Rusheba Township, Section 13, T.37, R.21 (PID #'s 07.00231.00; 07.00230.00; 07.00237.00; and 07.00229.10) to allow construction of the remaining ten cells (4-13) of the existing facility, and its eventual closure and reclamation, with Findings and Conditions as deliberated and 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 CUP amendment shall allow construction, closure and reclamation of the facility’s final Phases (4 through 13) as shown in the Overall Phasing plan sheet in Appendix I of the May 2016 “Request for Re-Permit” submitted to the Minnesota Pollution Control Agency.
2. Hours and days of operation shall be limited to Monday thru Friday, 6:00 a.m. to 8:00 p.m. With County approval open hours may be temporarily extended to accommodate special circumstances such as managing storm debris.
3. No outside burning shall be allowed without the proper permit.
4. Materials accepted shall be limited to those allowed in the facility’s MPCA Solid Waste Facility Permit SW-429.
5. In addition to those unacceptable items listed in the MPCA application, the landfill shall be prohibited from accepting the following materials:
  - a. Hazardous waste
  - b. Household hazardous waste
  - c. Municipal waste
  - d. Furniture
  - e. Tires
  - f. Appliances

- g. Electronics
- h. Mattresses
- i. Recyclables
- j. Manure
- k. Carcasses
- l. Railroad ties, or
- m. Treated lumber
- n. Asbestos containing materials

6. All appropriate MPCA rules, state statutes, and provisions of the Chisago County Solid Waste Ordinance must be followed and the appropriate permits and licenses must be obtained.

7. Odors emitted from the facility shall comply with the applicable provisions of any state agency odor rules.

8. Surface water drainage runoff shall be controlled to prevent it from leaving the facility. The facility expansions shall be constructed and operated to prevent discharge of runoff into waters of the county and state as detailed in the MPCA application.

9. Access roads shall be constructed with select fill (i.e., demolition material with low propensity for settlement) and surfaced with sand and gravel.

10. As the expansion area develops, drainage within the landfill shall be directed to ditches at the outer perimeter of the facility footprint, and to an intermediate sediment/infiltration pond to minimize soil transfer to the pond on the west side of the interior service road.

11. Drainage control shall be maintained by periodic cleaning of the ditches as necessary. Sediment from cleaned ditches shall be disposed of or re-used in a legal manner. Erosion control devices such as silt fences, straw bales, or the equivalent shall be utilized as necessary.

12. The applicant shall ensure that proper perimeter controls are in place at the site and shall, wherever possible, provide screening in order to secure the site from illegal dumping, reduce blowing trash, and to provide aesthetic benefit. The permittee shall implement controls (gate) to limit unauthorized access in order to prevent illegal dumping and increase site safety.

13. Closure notification must follow the MPCA permit requirements. Within six months after accepting waste the finished surface shall be seeded, mulched and fertilized in accordance with the permittee's proposal and permit conditions, and as practicable according to season.

14. Approval of the landfill closure shall be based upon a professional engineer's certification and inspection of the site by the County and MPCA officials.

15. Sites shall comply with applicable stormwater regulations.
16. The applicant shall obtain the appropriate Solid Waste Facility License from the County and abide by all requirements of said license.
17. The permittee shall provide and maintain financial assurance guaranteeing appropriate closure and reclamation in the amounts required as per the Solid Waste Facility License issued annually by the County.
18. The permittee shall allow County staff to enter the property for the purpose of inspecting the facility during regular business hours.
19. Wastes not listed below and/or wastes that do not meet the acceptance criteria established in the Industrial Solid Waste Management Plan in the permittee's MPCA application shall be immediately rejected and either routed to a Municipal Solid Waste landfill or sent back with the hauler to the generator.

Allowed Waste Materials:

- a. Bituminous concrete (includes asphalt pavement and blacktop)
- b. Concrete (including re-rod)
- c. Stone
- d. Uncontaminated soil
- e. Masonry (bricks, stucco and plaster)
- f. Untreated wood (including painted, stained and/or varnished dimensional lumber, pallets, tree stumps, grubbing, root balls, particle board, plywood, fencing and dock materials)
- g. Siding (including vinyl, masonite, untreated wood, aluminum and steel)
- h. Wall coverings
- i. Electrical wiring and components
- j. Roofing materials
- k. Duct work
- l. Wall board, sheet rock
- m. Built-in cabinetry
- n. Plumbing fixtures
- o. Affixed carpet and padding
- p. Ceramic items
- q. Conduit and pipes
- r. Glass (limited to window and door glass from buildings and structures)
- s. Insulation (includes fiberglass, mineral wool, cellulose, polystyrene and newspaper)
- t. Plastic building parts
- u. Sheathing
- v. Molded fiberglass
- w. Rubber

- x. Drain tile
  - y. Recognizable portions of burned structures
  - z. Metal
  - aa. Ceiling tile
  - bb. Wood and vinyl flooring
20. Unacceptable material found in a load shall cause the entire load to be rejected.
21. The permittee shall provide at least annually a copy of the following documents to the County Environmental Services Department: Annual Operating Report, any water quality reports submitted to the MPCA, and any permit modifications or re-permit applications.
22. The permittee shall follow all procedures detailed in the Emergency Procedural Manual submitted by the applicant.
23. There shall be no impact to the wetlands on-site, as stated in the permittee's amendment application.
24. The permittee shall control blowing debris. Fencing or other measures may be used, as determined to be necessary, in consultation with the Department.
25. All loads shall be covered, tarped or otherwise secured.
26. The permittee shall pick up nails and other metal debris along the road with a magnet-equipped vehicle on a weekly basis along 517th Street, or as otherwise determined to be necessary by the Department.
27. The permittee shall maintain a stop sign for the trucks leaving his property and shall request a "trucks hauling" sign from the Township to be posted on 517th Street.
28. The permittee shall maintain dust control on 517th Street on an as-needed basis. Dust control may include water or other dust control measures acceptable to the Township and County and shall be memorialized through a negotiated agreement with Rushseba Township.
29. The permit holder shall 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 Greene, the Board moved to approve the final plat of "Rand Estates" in Fish Lake Township, Sec. 28, T.36, R.22, on Stark Road. 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 to

acknowledge and support the Department of Natural Resources Wildlife Management Division acceptance of the 119.34 acre Eugene and Brenda Deplama property (Parcel #11.00718.00 and part of Parcel #11.00714.00) into the Janet Johnson Wildlife Management Area, subject to County Attorney and County Auditor-Treasurer approval. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

At 7:01 p.m. the Chair opened Citizen Forum. 0 Citizens spoke; the Chair closed Citizen Forum at 7:01 p.m.

On motion by Greene, seconded by Robinson, the Board moved to approve the attached Proclamation, which proclaims October 1 – 7, 2018 as Manufacturers Week in Chisago County. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**PROCLAMATION NO. 18/0919-1  
DECLARING OCTOBER 1 – 7, 2018 AS  
“MANUFACTURER’S WEEK”  
IN CHISAGO COUNTY**

*Whereas* The manufacturing industry is a dynamic part of Chisago County and Minnesota’s economy, and promotion of this sector’s strength, success and high quality of life is an integral part of Chisago County’s economic development strategy; and

*Whereas* Manufacturing provides high skill, high wage jobs which significantly contribute to Minnesota’s high standard of living and economic vitality; and

*Whereas* In 2017 there are 96 manufacturing businesses in Chisago County employing 2,278 with total wages of almost \$112.4 million; and

*Whereas* Manufacturing jobs in Chisago County account for 18% of all private sector employment within the county; and

*Whereas* Manufacturing has the second largest total payroll among business sectors in Minnesota, providing over \$21 billion in wages in 2017; and

*Whereas* Manufacturing produces \$49.2 billion for the state economy in 2017 and is the largest share, 16 percent of our gross domestic product; and

*Whereas* Manufactured exports brought over \$19 billion into the Minnesota economy in 2017,

Now, therefore, I George McMahon, Chair of the Chisago County Board, do hereby proclaim that, the week of October 1<sup>st</sup> to October 7<sup>th</sup>, 2018 shall be observed as:

***CHISAGO COUNTY, MINNESOTA MANUFACTURERS' WEEK***

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On motion by Robinson, seconded by Greene, the Board moved to approve the income contract between Chisago County, MN and the State of MN, Minnesota State Colleges and Universities, Century College. 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 East Central Friends of NRA's resolution to apply for an Exempt Permit for gambling at their event on October 6, 2019. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

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**RESOLUTION NO. 18/0919-2  
APPROVING SUBMISSION OF AN EXEMPT PERMIT FOR GAMBLING FOR  
THE EAST CENTRAL FRIENDS OF NRA**

**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 East Central Friends of NRA, located at the Lent Town Hall located at 22050 Hemingway Ave., Stacy, MN 55079.

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On motion by Greene, seconded by Walker, the Board moved to approve the purchase of 5-marked Police Interceptors for the Chisago County Sheriff's Office. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, McMahon, Montzka, Robinson, Walker **OPPOSED:** None.

County Administrator Messelt provided the following updates: Discussed Vandalism issue on Swedish Immigrant Regional Trail, Jail/LEC meeting with MN DEED about funds, AMC Policy Funds Summary, Thanking the Board for Employee Recognition Lunch. *No action was taken.*

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

On motion by Greene, seconded by Montzka, the Board moved to accept the

Auditor-Treasurer's January-August 2018 Finance Report, as prepared for the Budget & Finance Committee. 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 approve by Board Resolution the Chisago County Preliminary 2019 Levy and Annual Budget, as modified at tonight's meeting; to include:

- A 2019 Preliminary County Levy of \$37,443,549, a 7.9% increase over the 2018 Levy
- A 2019 Proposed Annual Budget with Expenditure of \$68,990,233
- Establishment of Wednesday, December 5th, 2018 at 7:00 PM as the date and time required for public review of and comment on the Proposed 2019 Annual Budget & Final 2019 Levy

And, to balance the preliminary 2019 Budget, direct County Staff to:

- Reduce projected cost of living increases for all employees from 3% to 2.5%
- Budget as unfunded one currently-open MICS Network Specialist position, and
- Adjust the Board Contingency Account with any additional needed reductions or additional monies following the denoted budget changes.

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

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**RESOLUTION NO. 18/0919-3  
ADOPTING THE CHISAGO COUNTY  
PRELIMINARY BUDGET AND LEVY FOR 2019**

**WHEREAS**, pursuant to Minn. Stat. Sec. 275.065, the Chisago County Board of Commissioners must certify to the County Auditor the proposed tax levy for taxes; and

**NOW BE IT RESOLVED**, that the Chisago County Board of Commissioners have moved to adopt the recommended *Preliminary* Levy for 2019 of \$37,443,549, an 7.9% increase over the 2018 levy, with overall 2019 expenditures of \$68,990,233;

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Chisago County Board of Commissioners hereby establishes Wednesday, December 5<sup>th</sup>, 2018 at 7:00 PM as the date and time for public review of and comment on the proposed *Final* 2019 Levy and Annual Budget.

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On motion by Montzka, seconded by Robinson, the Board adjourned the meeting at 8:24 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