

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, October 18, 2023**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, October 18, 2023 at the Chisago County Government Center with the following Commissioners present: Greene, Dunne, Montzka, Dahlberg. Also present: County Administrator Chase Burnham, County Attorney Janet Reiter, and Clerk of the Board Christina Vollrath. Absent: Commissioner Jim Swenson.

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

Commissioner Dunne offered a motion to approve the amended agenda. Motion seconded by Dahlberg. The motion **passed** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

The Board opened the Road and Bridge Committee of the Whole at 6:31 p.m.

The Board was given updates on the current projects of the Public Works Department from County Engineer Joe Triplett. *No action was taken.*

On motion by Greene, seconded by Dahlberg, the Board moved items 1-5 to the consent agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Dahlberg, the Board moved to close the Road and Bridge Committee of the Whole at 6:39 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Greene, the Board moved to approve the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

- 1.) R&B Committee Recommendation – County Engineer’s Report
- 2.) R&B Committee Recommendation – Engineering Design Services Contract

3.) R&B Committee Recommendation – City of Harris LRIP Grant Funding Application

**RESOLUTION NO: 23/1018-01
LOCAL ROAD IMPROVEMENT PROGRAM
SPONSORSHIP OF CITY OF HARRIS PROJECT**

WHEREAS, The Local Road Improvement Program (LRIP) is established in Minnesota Statute 174.52; and

WHEREAS, the legislature provided approximately \$102M for LRIP with a cap of \$1.5M for each project, and

WHEREAS, this funding is available for statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or the Trunk Highway Account, and

WHEREAS, Non-State Aid cities and townships must have a county sponsor, and

WHEREAS, the City of Harris has requested the county sponsorship by resolution 2023-25 for its Falcon Ave/ 450th St./Evergreen Ave/ 455th St. project, and

WHEREAS, the City and its Engineer shall prepare the grant agreement, develop and deliver State Aid plans for the project, advertise, bid and award the project, provide all construction services for the project and close out the project, and

WHEREAS, the City of Harris will ultimately be responsible for all costs not covered by such grant application, as well as other liabilities that may arise from such a project, and has agreed to maintain such improvements for the lifetime of the improvements, and

WHEREAS, the City of Harris does not intend to ask or require any participation, financial or otherwise from Chisago County other than the use of the County Engineer to act as the County's agent in dealing with matters related to the County acting as fiscal agent for this project and to assist, if needed, in the project close out, and

NOW, THEREFORE, BE IT RESOLVED: Chisago County will act as the sponsoring agency for the project for the City of Harris should an LRIP grant be awarded and acknowledges herewith that it is willing to be the project sponsor acting only as the fiscal agent on behalf of the City so the funds can be allocated to the contractor.

4.) R&B Committee Recommendation – Nessel Twp LRIP Program Grant Funding Application

**RESOLUTION NO: 23/1018-02
LOCAL ROAD IMPROVEMENT PROGRAM
SPONSORSHIP OF NESSEL TOWNSHIP PROJECT**

WHEREAS, The Local Road Improvement Program (LRIP) is established in Minnesota Statute 174.52; and

WHEREAS, the legislature provided \$102M for LRIP with a cap of \$1.5M for each project, and

WHEREAS, this funding is available for statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or the Trunk Highway Account, and

WHEREAS, Non-State Aid cities and townships must have a county sponsor, and

WHEREAS, Nessel Township has requested the county sponsorship by resolution 02-2023 for its Clover Trail project, and

WHEREAS, the Township and its Engineer shall prepare the grant agreement, develop and deliver State Aid plans for the project, advertise, bid and award the project, provide all construction services for the project and close out the project, and

WHEREAS, Nessel Township will ultimately be responsible for all costs not covered by such grant application, as well as other liabilities that may arise from such a project, and has agreed to maintain such improvements for the lifetime of the improvements, and

WHEREAS, Nessel Township does not intend to ask or require any participation, financial or otherwise from Chisago County other than the use of the County Engineer to act as the County's agent in dealing with matters related to the County acting as fiscal agent for this project, and

NOW, THEREFORE, BE IT RESOLVED: Chisago County will act as the sponsoring agency for the project for Chisago Lake Township should an LRIP grant be awarded and acknowledges herewith that it is willing to be the project sponsor acting only as the fiscal agent on behalf of the Township so the funds can be allocated to the contractor.

5.) R&B Committee Recommendation – FINAL Contract Payment for CSAH 26 Recon.

6.) Minutes from the October 4, 2023, County Board Meeting

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

Per Minnesota Statutes 375.1, proceedings of the County Board including a list of itemized accounts, claims or demands must be published in the official newspaper. The itemized list of claims is available for public review on the County website at <https://www.chisagocounty.us/1197/Claims-Paid>. Claims less than \$2,000 are listed as a total dollar amount and notes the number of claims included in the total.

8.) Application for On-Sale Wine License with Strong Beer – Wild Mountain Snow Tubing

Environmental Services Director Kurt Schneider presented the Board with the Director's Report and action items. ***No action was taken.***

On motion by Dahlberg, seconded by Greene, the Board moved to approve Resolution No. 23/1018-03, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the William & Beverly Payne and applicant Keith Payne Interim Use Permit (IUP) to allow a Contracting Business Owned and Operated by Persons Residing at the Property on their 20+/- acre property at 38575 Kost Trail, Sunrise Township (PID #09.00225.10) as may be amended by the Board.

RESOLUTION NO. 23/1018-3
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING AN INTERIM USE PERMIT ALLOWING A CONTRACTING BUSINESS OWNED AND OPERATED BY PERSONS RESIDING AT THE PROPERTY ON PROPERTY LOCATED AT 38575 KOST TRAIL IN SUNRISE TOWNSHIP

WHEREAS, property owners William Payne & Beverly Payne and applicant Keith Payne submitted an application dated received August 24, 2023 and considered complete on September 6, 2023 for an Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property on property located at 38575 Kost Trail in Sunrise Township; and

WHEREAS, the subject site is located in the Agricultural (AG) District; and

WHEREAS, the subject site is 20.00± acres in size and legally described as:

PID 09.00225.10

The South Half of Southwest Quarter of Northeast Quarter of Section Twenty (20), Township Thirty-five (35), Range Twenty (20), of Chisago County, Minnesota.

WHEREAS, notice was provided and on October 5, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Interim Use Permit with conditions per Resolution No. PC2023-1001; and

WHEREAS, the Board of Commissioners considered the request and the Planning Commission’s recommendation at its October 18, 2023 meeting and made the following findings per Zoning Ordinance Section 8.04-1, C.:

Factor #1	The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;
<i>Finding #1</i>	<i>The Chisago County Comprehensive Plan identifies as a policy the allowance “for home occupations, rural retail tourism and limited rural businesses on homesteads in agricultural areas ...” (see page 9-9), and, generally speaking, offers broad support and encouragement for identified</i>

commercial activities within the Agricultural District so long as they comply with established performance standards. Therefore, the County finds that the proposed use is consistent with the goals and policies established by the Comprehensive Plan.

- Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;
- Finding #2 *The proposed Contracting Business will have no associated use of parks, schools, or other public facilities or utilities, and will likely not create any appreciable demand on Kost Trail; therefore, the County finds that the proposed use will not create any increase or demand on these facilities or utilities. Further, the Sunrise Town Board / Road Authority did not identify any concerns with the proposed use in relation to existing public facilities.*
- Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;
- Finding #3 *The proposed use – including structures and parking areas used for business purposes – is reported by the applicants to be located no closer than approximately 210’ from the closest property boundary and there is well-established vegetation by way of heavy forestation between the business activities and the north, south, and east property boundaries. Business activities are screened from the west property boundary by sloping elevations. Therefore, the County finds that distance, existing vegetation and continued maintenance of said vegetation, sloping elevations, and the implementation of specific conditions will mitigate potential negative impacts, such as noise, so as to neither cause undue negative impact nor deter future development.*
- Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;
- Finding #4 *The proposed Contracting Business will utilize existing structures for office, storage, and maintenance purposes as well as utilize land immediately adjacent to these structures for staff and equipment parking. After reviewing the application materials and the Planning Commission having conducted a site visit on October 4, 2023, the County finds no evidence to suggest that the proposed use will have an appearance that will have an adverse effect upon adjacent properties. Further, the County finds that the appearance of the structures is consistent with the appearance of structures commonly found throughout the Agricultural District.*

- Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;
Finding #5 The Chisago County Zoning Ordinance specifically allows Contracting Business Owned and Operated by Persons Residing at the Property as an Interim Use in the Agricultural District; therefore, the County finds that the proposed use is in compliance with land use goals and regulations established by the County's official land use controls.
- Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;
Finding #6 The stated purpose of the Zoning Ordinance is to provide for and protect the public health, safety, and general welfare through nine specific objectives. Through close evaluation of the request and the establishment of specific conditions of approval, the County finds that the proposed use is consistent with the purposes of the Zoning Ordinance and, more specifically, with the purposes of the Agricultural District.
- Factor #7 The proposed use will not cause traffic hazard or congestion; and
Finding #7 Aside from a slight increase in traffic related to employees arriving for work at the beginning of their shift and departing from work at the end of their shift, there will be no added traffic to and from the site. There will be no retail or customer drop-in components associated with this proposed business. Therefore, the County finds that the proposed use will not cause traffic hazards or congestion. Further, the Sunrise Town Board / Road Authority has not identified traffic hazards or congestion as a concern.
- Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.
Finding #8 While there is no indication that the proposed use will adversely impact nearby properties in terms of glare, there may be concerns related to general unsightliness if equipment and materials are not screened and noise from arrival / departure of employees and running equipment. The County finds that unsightliness and noise can be mitigated with distance, existing vegetation and continued maintenance of said vegetation, sloping elevations, and the implementation of conditions which address these mitigation efforts. If these measures are implemented, the County finds that the proposed use will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the request for Interim Use Permit, subject to the following conditions:

1. This Interim Use Permit grants approval for the operation of a lawn care and landscaping Contracting Business Owned and Operated by Persons Residing at the

Property, as specifically described in the application materials dated received August 24, 2023 and kept on file with the Department of Environmental Services, except as specifically conditioned herein. No commercial or retail activity, apart from the activities described in the application materials shall be permitted as part of this approval.

2. The Contracting Business shall be allowed to operate Monday through Saturday (no Sundays) year-round with hours of operation being 7:00 am to 9:00 pm during spring, summer, and fall. Equipment may begin warming up on site no earlier than 7:00 am and shall not run on site later than 9:00 pm. Winter hours will vary depending on weather conditions, which means that the business may operate 24 hours a day, seven (7) days a week and equipment may run on site as needed when snow and ice conditions exist.
3. Noise generated from the approved use shall be subject to the Chisago County noise standards. No undue or objectionable noise resulting from said uses shall be transmitted beyond the subject site's property boundaries.
4. To mitigate potential adverse impacts related to noise, the permit holder shall maintain existing vegetation (large stands of trees) – and replace dying, dead, or downed vegetation – located between the area of business operations and the surrounding property boundaries.
5. The permit holder shall install screening for the equipment storage area. The screening shall be located on the west side of the equipment storage area extending from the driveway to the salt shed. Allowable screening options include a privacy fence and/or one (1) row of six foot (6') tall coniferous trees planted no greater than sixteen feet (16') on center which meet or exceed 75% opacity within three (3) years of the approval date.
6. In addition to the business owners, the permit holder may employ up to ten (10) full-time equivalent (FTE) employees.
7. Except for the outdoor parking of equipment (i.e., trucks, trailers, and heavy machinery), there shall be no outdoor storage of lawn care and/or landscaping goods or materials used in conjunction with the approved Contracting Business.
8. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
9. No hazardous waste shall be generated or stored on the subject site.
10. Any fuel storage at the subject site shall be in accordance with MPCA regulations.
11. All insecticides and fertilizers and similar materials used for business purposes shall be stored indoors in accordance with accepted practices and State guidelines.
12. Wood debris shall be disposed of off-site within fifteen (15) days.
13. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by either William Payne or Keith Payne.
14. Any expansion of the use – including, but not limited to, the construction of new

structures used for the Contracting Business, the expansion of the number of employees / hours of operation, or other expansion as determined by the Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.

15. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dahlberg, seconded by Dunne, the Board moved to approve Resolution No. 23/1018-04, a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving applicants Mackenzie Johnston & Megan Johnston requested Conditional Use Permit (CUP) for a Major Home Occupation to operate and expand their business known as East Central Sports at 4840 Rush Lake Road / CSAH 1 in Nessel Township (PID #06.00058.00).

RESOLUTION NO. 23/1018-4
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT ALLOWING A MAJOR HOME OCCUPATION ON PROPERTY LOCATED AT 4840 RUSH LAKE ROAD / CSAH 1 IN NESSEL TOWNSHIP

WHEREAS, property owners Mackenzie Johnston & Megan Johnston submitted an application dated received August 31, 2023 and considered complete on September 6, 2023 for a Conditional Use Permit allowing a Major Home Occupation on property located at 4840 Rush Lake Road / CSAH 1 in Nessel Township; and

WHEREAS, the subject site is located in both the Rural Residential I (RRI) District and Agricultural (AG) District; and

WHEREAS, the subject site is 23.50± acres in size and legally described as:

PID 06.00058.00

The W1/2 of the NE1/4 of Section 19, Township 37, Range 21, subject to a 66-foot roadway easement along the most northerly part thereof for ingress and egress from the adjacent County Road, EXCEPT the following described parcels in Chisago County, Minnesota:

- A) That part the W1/2 of the NE1/4 of Section 19, Township 37, Range 21 lying South of the Rush City-Braham Road (County State Aid No. 1).
- B) The East 933 feet of that part of the W1/2 of the NE1/4 of Section 19, Township 37, Range 21, lying South of the North 700 feet thereof.

WHEREAS, notice was provided and on October 5, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owners, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Conditional Use Permit with conditions per Resolution No. PC2023-1002; and

WHEREAS, the Board of Commissioners considered the request and the Planning Commission's recommendation at its October 18, 2023 meeting and made the following findings per Zoning Ordinance Section 8.04, C.:

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

Finding #1 Chapter 6 of the Chisago County Comprehensive Plan identifies a goal of providing for a range of economic diversity and development opportunities to maintain and strengthen the County's economy, with a policy of continuing to allow and encourage Home Occupations in all zoning districts if performance standards are met. The County finds that the proposed Major Home Occupation is consistent with the Comprehensive Plan and meets all performance standards provided in Zoning Ordinance Section 4.04 C.

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 The proposed use will utilize self-contained sanitary facilities, private utilities, and off-street parking for customers, employees and deliveries, and access to the subject site will be gained from the well-established and well-maintained Rush Lake Road / CSAH 1. Further, the proposed use will have no impact on schools or other public facilities or utilities. Therefore, the County finds that the proposed Major Home Occupation will not create an excessive demand on existing parks, schools or utilities which serve the subject site.

- Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;
- Finding #3 While the subject site is partially located within a residentially developed area, the subject site is 23.50± acres in size and the proposed use is largely screened from adjacent properties by existing natural vegetation (trees) and distance. Therefore, the County finds that the proposed use is sufficiently separated by natural vegetative screening and distance from adjacent properties so as to not cause undue negative impact or deter future development.*
- Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;
- Finding #4 The proposed Major Home Occupation will be conducted within an existing 60' x 120' structure and a proposed 60' x 80' structure. Based on the Planning Commission's October 4, 2023 site visit, the County finds that the existing structure is well-maintained with an aesthetically pleasing appearance. Therefore, the County has no evidence to suggest that either the existing structure or the proposed structure will have an appearance which would cause adverse effects upon adjacent properties.*
- Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;
- Finding #5 The Chisago County Zoning Ordinance identifies Major Home Occupations as an allowable Conditional Use in the Rural Residential I (RRI) and Agricultural (AG) zoning districts (districts in which the subject site is located). Further, as described in Finding #1, the Chisago County Comprehensive Plan identifies a goal of providing for a range of economic diversity and development opportunities to maintain and strengthen the County's economy, with a policy of continuing to allow and encourage Home Occupations in all zoning districts if performance standards are met. Therefore, the County finds that the proposed use directly relates to the land use goals of the County.*
- Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;
- Finding #6 See Finding #5.*
- Factor #7 The proposed use will not cause traffic hazard or congestion; and
- Finding #7 The subject site is located immediately adjacent to a well-established and well-maintained County State Aid Highway road system (Rush Lake Road / CSAH 1 and Evergreen Avenue (CSAH 9) and in close proximity to Interstate 35. As proposed, the Major Home Occupation will primarily serve as a warehousing facility and will not generate a significant or*

noticeable amount of customer or delivery traffic (applicants verbally stated 2-3 customers per day and 1-2 deliveries per week). Therefore, the County finds no evidence to suggest that the proposed use will cause traffic hazards or congestion.

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 *The proposed Major Home Occupation is primarily a warehousing facility with business activity taking place within structures, with business-related traffic and parking likely being the most noticeable impact to nearby properties. Based on detail provided in the application materials, existing natural vegetation, and distance, the County finds no evidence to suggest that the Major Home Occupation will cause any noise, glare or general unsightliness which would impact nearby properties.*

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the request for Conditional Use Permit, subject to the following conditions:

16. This Conditional Use Permit grants approval for a Major Home Occupation involving the use of detached accessory structures, as specifically described in the application materials dated received August 31, 2023 and kept on file with the Department of Environmental Services, except as specifically conditioned herein.
17. Hours of operation shall be limited to Monday through Friday, 9:00 am to 6:00 pm.
18. The maximum number of employees – in addition to the permit holder – on-site at any given time is five (5). This condition is not intended to prohibit the permit holder from having more than five (5) employees but, rather, to limit the number of employees on-site.
19. Noise generated from the approved use shall be subject to the Chisago County noise standards. No undue or objectionable noise resulting from said uses shall be transmitted beyond the subject site’s property boundaries.
20. To mitigate potential adverse impacts related to noise, the permit holder shall maintain existing vegetation (large stands of trees) – and replace dying, dead, or downed vegetation – located between the area of business operations and the surrounding property boundaries.
21. The permit holder shall accommodate all customer, employee and delivery parking on-site. No such parking shall be allowed on Rush Lake Road / CSAH 1.
22. The permit holder shall ensure adequate year-round access and parking for emergency vehicles on-site, including space to maneuver/turn vehicles.
23. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
24. No hazardous waste shall be generated or stored on the subject site.

25. Any fuel storage at the subject site shall be in accordance with MPCA regulations.
26. There shall be no exterior track on site for customer testing or use of ATVs, snowmobiles, or other types of power equipment.
27. Any expansion of the use – including, but not limited to, the construction of new structures used for the business activity (aside from the one proposed structure included in this request), the expansion of the number of employees / hours of operation, or other expansion as determined by the Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of a Conditional Use Permit Amendment.
28. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dahlberg, seconded by Greene, the Board moved to approve Resolution No. 23/1018-05 a Resolution of the County Board of Commissioners of Chisago County, Minnesota, approving the Final Plat of Zackary Meadows located South of Rush Point Drive / CSAH 7 and East of Anchor Avenue in Nessel Township, (PID #06.00702.10).

RESOLUTION NO. 23/1018-5
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO COUNTY, MINNESOTA, APPROVING THE FINAL PLAT OF ZACKARY MEADOWS

WHEREAS, property owner Sunrise Homes, Inc. submitted a request for the Final Plat of Zackary Meadows on October 6, 2023; and

WHEREAS, the property owner desires to create three buildable parcels from the 33.91± acre subject site; and

WHEREAS, the subject site is generally located south of Rush Point Drive / CSAH 7 and east of Anchor Avenue in Nessel Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 06.00702.10

The Northwest Quarter of the Northwest Quarter of Section 34, Township 37, Range 22, Chisago County Minnesota EXCEPTING THEREFROM the following described parcel.

Beginning at the northwest corner of said Northwest Quarter of the Northwest Quarter; thence South 01 degrees 58 minutes 14 seconds West, assumed bearing along the west line of said Northwest Quarter of the Northwest Quarter, a distance of 444.79 feet; thence east and parallel to the north line of said Northwest Quarter of the Northwest Quarter, a distance of 573.72 feet; thence North 02 degrees 00 minutes 02 seconds East, a distance of 444.79 feet, more or less, to the north line of said Northwest Quarter of the Northwest Quarter; thence North 88 degrees 30 minutes 43 seconds West, along said north line, a distance of 573.95 feet to said point of beginning and there terminating.

AND ALSO EXCEPTING THEREFROM Parcel 60 of Chisago County Highway Right of Way Plat No. 40.

Subject to easements, restrictions, or reservations of record, if any.

WHEREAS, the Preliminary Plat of Zackary Meadows was recommended for approval by the Planning Commission on April 6, 2023 and approved by the Board of Commissioners on April 19, 2023; and

WHEREAS, the Final Plat submitted on October 6, 2023, generally conforms to the approved Preliminary Plat and meets all conditions of Preliminary Plat approval; and

WHEREAS, the County has received title evidence in the form of a current and in force title policy and the County Attorney has provided an opinion that the title evidence is satisfactory.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Chisago County, Minnesota hereby approves the Final Plat of Zackary Meadows, subject to the following conditions:

1. The Final Plat of Zackary Meadows is approved as submitted on October 6, 2023. Any deviation from the approved plat drawing prior to recording shall require further review by the Planning Commission and approval by the County Board.
2. No access shall be granted from Rush Point Drive / CSAH 7.
3. The property owner shall cause the preparation of a survey or otherwise accurately identify the existing State of Minnesota Reinvest in Minnesota perpetual conservation easement boundaries and properly mark, with SWCD approved signage, all corners and at least one sign between corners of the easement. The signs shall be installed at a height of no less than six (6') feet above ground level.
4. The property owner shall coordinate with Chisago SWCD to transfer the existing State of Minnesota Reinvest in Minnesota perpetual conservation easement to Sunrise Homes, Inc. and, if and when Sunrise Homes, Inc. sells the lot which includes the easement, Sunrise Homes, Inc. shall again coordinate with Chisago SWCD to transfer the easement to the new landowner(s).

5. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.

The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Dahlberg, the Board moved to authorize acceptance of the prospective 2024 Noxious Weed and Invasive Plant Grant award and enter into a \$6,200 service agreement with Wild Rivers Conservancy for Invasive Phragmites and Purple Loosestrife Right-of-way Survey Work in Fish Lake and Nessel Townships and in the Chisago Lakes Lake Improvement District if Chisago County receives the grant as presented at tonight's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Greene, the Board moved to accept the 2022 County Audit. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Commissioner Dunne, the Board moved to approve funding the County Concrete Repair project with County Fund Balance. The motion **failed** due to a lack of second.

On motion by Greene, seconded by Dahlberg, the Board moved to approve funding the County Concrete Repair project with ARPA Broadband allocation. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Montzka, Dahlberg. **OPPOSED:** Dunne. **ABSENT:** Swenson.

On motion by Greene, seconded by Dahlberg, the Board moved to fund the \$17,852 'change order' for the Old Jail Demolition Project from the current Old Jail Demolition ARPA allocation. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dalberg, seconded by Greene, the Board moved to approve the purchase of 2 new squad cars with law enforcement contract revenue. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the proposed a \$40,000 'school safety program' to supply each school building in Chisago County (10) and the Chisago County Government Center with 'breach bags' and 'stop the bleed' kits from the ARPA Admin allocations. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Greene, the Board moved to approve adding an additional \$145,000 from the County's Public Safety Fund allocation for a total of \$200,000 to the County Sheriff's Recruiting and Retention program. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Greene, seconded by Dahlberg, the Board moved to approve the 2024 Capital Improvement Plan. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Greene, the Board moved to accept the October 11, 2023, Budget and Finance Report. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

CITIZENS FORUM

TIME – 6:59 p.m. **END TIME** – 7:05 p.m.

of SPEAKERS – 1

On motion by Greene, seconded by Dahlberg, the Board moved to approve the Minnesota Office of Traffic Safety 2024 Towards Zero Deaths Enforcement Grant. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Greene, the Board moved to approve the request to hire Alison Gau as a Community Health Worker. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the Opioid Expense for County Staff time during Quarter 3 of 2023. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

On motion by Greene, seconded by Dunne, the Board moved to approve the out of state travel request for Enterprise Services Emergency Communications Systems Manager, Mike Parker, and Communications Engineer Mike Erding to attend the require Aviat factory training and system acceptance. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

The Board discussed funding to replace the furnaces in the Chisago County 'Heartland Express' Building. No quotes provided by tonight's meeting.

On motion by Dunne, seconded by Dahlberg, the Board moved to accept the Initiative Foundation grant award of \$10,000 for the Chisago County Cohesion Initiative. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

County Administrator Burnham provided administrative updates. *No action was taken.*

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

On motion by Dunne, seconded by Greene, the Board moved to adjourn the meeting at 7:21 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Swenson.

Ben Montzka, Chair

Attest: _____
Christina Vollrath
Clerk of the Board