

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, April 21, 2021**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, April 21, 2021 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, Dunne, Montzka, Robinson. Also present: County Administrator Chase Burnham and Clerk of the Board Christina Vollrath. County Attorney Janet Reiter participated remotely.

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, the motion **passed** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

Covid-19 Update by Public Health – Courtney Wehrenberg’s notes read by Chase Burnham 6:31 p.m. to 6:33 p.m.

The Chair opened the Road and Bridge Committee of the Whole at 6:33 p.m.

The Board was given updates on the current projects of the Public Works Department from County Engineer Joe Triplett from 6:33 p.m. to 6:44 p.m. **No action was taken.**

On motion by Greene, seconded by Dunne, the Board moved items 1-6 to the consent agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to close the Road and Bridge Committee of the Whole at 6:44 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

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

- 1.) R&B Committee Recommendation – County Engineer’s Report
- 2.) R&B Committee Recommendation – County Engineer Reappointment Resolution
- 3.) R&B Committee Recommendation – MnDOT Detour Agreement
- 4.) R&B Committee Recommendation – 2021 Seal Coat Project – Allied Blacktop Co.
- 5.) R&B Committee Recommendation – 2021 Pavement Maintenance Project – Knife River

- 6.) R&B Committee Recommendation – Assistant County Engineer Signing Resolution
- 7.) Minutes from the April 7, 2021 Regular Meeting
- 8.) Payment of County’s Warrants and Miscellaneous Bills
- 9.) Authorization for County Auditor-Treasurer Annual Carryover of Dedicated E911 Funds
- 10.) Applications for Abatements (reductions) of Property Taxes
- 11.) 2021 Tobacco License Renewals
- 12.) Application for an Exempt Permit – Almelund Threshing Company

Ditch Authority:

On motion by Montzka, seconded by Greene, the Board moved to recess the regular meeting and open the Ditch Authority meeting at 6:46 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to approve the permit application for discharge into Public Ditch #5. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Robinson, the Board moved to approve the resolution initiating concurrent records reestablishment, redetermination process & appointing engineer for County Ditches 5, 9, & 14 and initiating redetermination process. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Dunne, seconded by Greene, the Board moved to close the Ditch Authority meeting and reconvene the regular Board of Commissioners meeting at 6:52 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

Legislative Update – Senator Mark Koran – 6:52 p.m. to 7:13 p.m.

Public Hearing from 7:14 p.m. to 7:17 p.m.; no one present to speak.

On motion by Montzka, seconded by Greene, the Board moved to approve the tax abatement request for All Mac, Inc as presented and pass Resolution 21/0421-5. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

CITIZENS FORUM

TIME – 7:20 p.m.

END TIME – 7:20 p.m.

0 Letters, 0 emails, # of **SPEAKERS** – 0

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

2020 Water Resources Programs and Annual Reports Presentation by Susanna Wilson Witkowski and Jerry Spetzman

On motion by Montzka, seconded by Dunne, the Board moved to accept the Environmental Services/Zoning Director's Report. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to accept the 2020 Water Resources Programs and Annual Reports Presentation. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to approve transfer of \$5,000 from LID reserves along with associated budget adjustment request. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Robinson, seconded by Dunne, the Board moved to approve the preparation and installation of concrete slabs for Parks Department Proposal from Craig Severson Construction, LLC, at a total estimated cost of \$13,440.00 not to exceed \$13,440.00 as a budgeted CIP expense. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to approve the Lyn Regenauer request for an Interim Use Permit to operate a residential kennel at 14545 310th Street, Chisago Lakes Township, (PID #02.00941.00), 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:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to approve the Glen and Kris Carlson request for a Conditional Use Permit to establish and operate an animal oriented educational facility and offer rural retail tourism activities and gathering venue activities to be known as "Farmaste" at XXXXX Oasis Road, Chisago Lakes Township, (PID #02.00383.00), 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:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board moved to approve the Brook Spindler and Tim Lom request for a Conditional Use Permit to establish and operate small-scale events and sale of agricultural products with expanded services to include animal oriented educational and recreational classes and other rural retail tourism

activities at 34133 Oasis Road, Chisago Lakes Township, (PID #02.00503.20), 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:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Greene, seconded by Montzka, the Board moved to approve the Wild Mountain Winery Conditional Use Permit Amendment – Recreational Camping, outlined in the Staff Analysis and Report, but with modified Conditions determined and approved by the County Board at tonight's meeting (to be codified as part of the formal CUP approval). The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

Conditions of Approval:

1. This permit will amend the existing Conditional Use Permit for Wild Mountain Winery (issued in 2010 and as amended in 2018) to allow additionally recreational camping in conjunction with winery and rural retail tourism activities on-site, such as weddings, dances, gathering, and other social or corporate activities with associated tastings and activities. *(Note: Microbrewery has been removed from listing of approved land uses and is no longer approved)*
2. This CUP shall allow year round use of the property as a gathering venue with gathering events allowed Friday through Sunday from 12:00 p.m. to 11:00 p.m.
3. All gathering events that include music that could potentially cross property boundaries shall be conducted indoors, and building doors shall remain closed during music.
4. The maximum attendance at any given event shall be limited to 232 guests. *(Note: Maximum number of attendees at events was reduced from 2018 amendment to address potential capacity of campground – 300-68 = 232.)*
5. All parking shall be accommodated on-site, with supervised management of ingress and egress traffic to eliminate conflicts in traffic flow.
6. Previously approved (2018) future construction of a gathering venue and/or microbrewery building that would have eliminated existing parking is no longer proposed, approved, or allowed with this permit pursuant to applicants email of April 13, 2021. Proof of parking plan that demonstrates replacement of parking that would have been disrupted with such building in satisfaction of maximum number of occupants is no longer required.
7. Permittee shall ensure that adequate parking/staging area is maintained to accommodate emergency vehicle/first responder traffic.

8. Any new access to the venue shall be approved by Chisago County Public Works prior to construction.
9. All food preparation and/or sales at the site shall comply with all applicable Minnesota Department of Health regulations.
10. Any liquor service shall be in accordance with all applicable MN Department of Public Safety regulations, and Chisago County liquor licensing requirements.
11. Signage shall be in accordance with Section 4.14 of the Zoning Ordinance.
12. Minnesota Building Code, SSTS, and all other relevant codes shall be applicable to the project, all permits and Certificates of Occupancy and Compliance shall be obtained prior to occupancy, and CUP amendment approval shall be considered provisional until such time as these requirements are met.
13. The site is limited to a maximum of 13 campsites that are comprised of 11 single tent sites and two (2) group sites.
14. Recreational Camping shall be primitive sites that would allow for tents only. No recreational vehicles, campers, or trailers shall be allowed.
15. Seasonal camping is allowed from May 1st to October 31st with reservations limited to Friday through Sunday.
16. Campsites along the north and east property lines shall not be located closer than 20 feet to the property line.
17. The observance of quiet hours from 11 PM to 7 AM.
18. 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.
19. 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.
20. Wild Vines Campground Policies document provided on April 9, 2021, shall be made a condition of approval with the allowance that updated policies may be provided to the county staff as may be amended from time to time provided said updates remain sufficiently consistent or more restrictive as the originally provided Policies.
21. More permanent property boundary line marker, signs, or posts shall be placed as a barrier in place of the yellow tape in the vicinity of camp sites 1, 3, 5 and 6 on the site plan.

On motion by Greene, seconded by Montzka, the Board moved to deny the requested Evan Carlson IPS Solar Zoning Ordinance Text Amendment to Zoning Ordinance Section 8.04.1.G – Reapplication /Lapse of Interim Use Permit finding that the text as proposed is not consistent with the purpose and intent of the Zoning Ordinance. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Montzka, the Board moved to approve the recommended Planning Commission Text Amendment to Zoning Ordinance Section 8.04.1.G - Reapplication /Lapse of Interim Use Permit and Authorizing Full Execution, Publication, Recording, and Numbering, Upon County Attorney Review as to Form. Motion failed due to a lack of second.

On motion by Greene, seconded by Dunne, the Board moved to send the following to the County Attorney for review: the recommended Planning Commission Text Amendment to Zoning Ordinance Section 8.04.1.G - Reapplication /Lapse of Interim Use Permit and Authorizing Full Execution, Publication, Recording, and Numbering, Upon County Attorney Review as to Form. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

Discussion of Buildings and Building Use in Agricultural Zones
On motion by Greene, seconded by Dunne, the Board moved to bring issue to the Planning Commission. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Montzka, seconded by Greene, the Board moved to accept the April 13th Budget and Finance Report. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

On motion by Montzka, seconded by Dunne, the Board moved to approve the COVID-19 Vaccination Implementation Grant Agreement. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

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 Greene, seconded by Dunne, the Board adjourned the meeting at 8:55 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

Chris DuBose, Chair

Attest: _____
Christina Vollrath
Clerk of the Board