

**CHISAGO COUNTY  
BOARD OF COMMISSIONERS  
OFFICIAL PROCEEDINGS  
Wednesday, August 02, 2023**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, August 02, 2023 at the Chisago County Government Center with the following Commissioners present: Swenson, Dunne, Montzka, Dahlberg. Also present: County Administrator Chase Burnham, Clerk of the Board Christina Vollrath, County Attorney Janet Reiter, and Assistant County Attorney Jeff Fuge. Absent: Commissioner Greene.

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

On motion by Dunne, seconded by Swenson, the board moved to open the Health and Human Services Committee of the Whole at 6:31 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg **OPPOSED:** None. **ABSENT:** Greene

Chair Montzka gave the gavel to Vice-Chair Dunne.

Health and Human Services Director Robert Benson provided the department updates. *No action was taken.*

On motion by Swenson, seconded by Montzka, the Board moved to add items 1-7 to the Consent Agenda. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg **OPPOSED:** None. **ABSENT:** Greene

On motion by Dahlberg, seconded by Montzka, the board moved to close the HHS Committee Board of the Whole at 6:42 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg **OPPOSED:** None. **ABSENT:** Greene

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

**Board of Commissioners' Consent Agenda:**

- 1.) HHS Committee Recommendation – Directors Update
- 2.) HHS Committee Recommendation – Payment of County's Warrants for HHS
- 3.) HHS Committee Recommendation – SHIP Grant Agreements 218

- 4.) HHS Committee Recommendation - MDH Comm. Health Board Grant Project Amend.
- 5.) HHS Committee Recommendation - LOA with Hazelden Betty Ford Foundation
- 6.) HHS Committee Recommendation - Board Appointment to the Citizen Review Panel
- 7.) HHS Committee Recommendation - Hazelden Scholarship LOA 2023-2024
- 8.) 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.

- 9.) Minutes from the July 19, 2023, Regular Meeting
- 10.) Recognition of County Staff August Anniversaries
- 11.) Updated Local Transit Sales and Use Tax Agreement
- 12.) Temporary Liquor License Request – Franconia Sculpture Park
- 13.) Applications for Abatements (reduction) of Property Taxes

On motion by Swenson, seconded by Dunne, the Board moved to continue the ARPA Broadband grant application request from Franconia Township for \$200,000 until September 6<sup>th</sup> when more information is provided. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg **OPPOSED:** None. **ABSENT:** Greene

On motion by Dunne, seconded by Dahlberg, the Board moved to authorize the use of eminent domain for S.P. 013-610-012 parcel acquisition at tonight's meeting.

**RESOLUTION NO. 23/0802-1**  
**AUTHORIZING THE ACQUISITIONS OF CERTAIN LANDS ON CSAH 10 (AKA STARK ROAD) BY EMINENT DOMAIN**

**WHEREAS**, Chisago County proposes to improve County State Aid Highway 10 (AKA Stark Road) as identified in Right-of-Way Plat #115 recorded on June 22, 2023, as document number 668314 with the Chisago County Recorder's Office; and

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

**WHEREAS**, right-of-way and easements over certain lands are required to provide for said realignment and reconstruction; and

**WHEREAS**, Chisago County has authority to acquire right-of-way for said project by eminent domain pursuant to Minn. Stat. sec. 163.02, subd. 2; sec. 117.042 and 117.055;

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

**WHEREAS**, the following persons own or have an interest in a portion of said lands required for acquisition as identified on Exhibit A, attached hereto and incorporated by reference; and

**WHEREAS**, to date Chisago County has been unable to successfully negotiate the acquisition of the required right-of-way and easements identified on Exhibit A; and

**WHEREAS**, throughout the eminent domain proceedings, Chisago County shall continue to negotiate the acquisition of the required right-of-way and easements until an award is made by the court-appointed commissioners; 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 the take title and possession of that land prior to the filing of an award by the court appointed commissioners, pursuant to Minn. Stat. sec. 163.02, subd. 2; sec. 117.042; and sec. 117.055.

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

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

#### **CITIZENS FORUM**

**TIME** – 6:58 p.m.    **END TIME** – 6:59 p.m.

**# of SPEAKERS** – 0

On motion by Dunne, seconded by Dahlberg, the Board moved to approve the out of state travel request for Mike Parker to attend the National APCO and Motorola Trunked User Group training. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg **OPPOSED:** None. **ABSENT:** Greene

On motion by Dunne, seconded by Swenson, the Board moved to approve the purchase of a new Pick Up with plow and Tommy gate, as approved in the 2023 CIP.

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

County Administrator Chase Burnham provided administrator updates and correspondence. *No action was taken.*

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

On motion by Dunne, seconded by Dahlberg, the Board moved to close the County Board meeting at 7:09 p.m. to meet with the County Attorney for the purpose of engaging in attorney-client privilege communications for the development of litigation strategy concerning the pending litigation in which the County has been named as a defendant - *Sporleder v. State of Minnesota, et. al.*, Ramsey County Case No. 62-CV-23-3405. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Greene

On motion by Dahlberg, seconded by Dunne, the Board ended the closed meeting and reconvened the regular meeting at 7:48 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Greene

On motion by Dunne, seconded by Dahlberg, the Board moved to authorize the County Attorney's Office to accept service on behalf of the County Board and the County Auditor-Treasurer. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Greene

On motion by Dunne, seconded by Swenson, the Board adjourned the meeting at 7:49 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** Swenson, Dunne, Montzka, Dahlberg. **OPPOSED:** None. **ABSENT:** Greene

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Ben Montzka, Chair

Attest: \_\_\_\_\_  
Christina Vollrath  
Clerk of the Board