

**CHISAGO COUNTY
BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
Wednesday, August 18, 2021**

The Chisago County Board of Commissioners met in regular session at 6:30 p.m. on Wednesday, August 18, 2021 at the Chisago County Government Center with the following Commissioners present: DuBose, Greene, Dunne, Montzka, Robinson. Also present: County Administrator Chase Burnham, Clerk of the Board Christina Vollrath and Assistant County Attorney Jeff Fuge.

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

Commissioner Montzka offered a motion to approve the agenda. Motion seconded by Dunne, the motion **passed** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

On motion by Greene, seconded by Dunne, the Board opened the Road and Bridge Committee of the Whole at 6:31 p.m. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson **OPPOSED:** None.

The Board was given updates on the current projects of the Public Works Department from County Engineer Joe Triplett from 6:31 p.m. to 6:36 p.m. **No action was taken.**

On motion by Greene, seconded by Dunne, the Board moved to close the Road and Bridge Committee of the Whole at 6:36 p.m. 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 item 1 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 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.) Minutes from the August 4, 2021 Regular Meeting
- 3.) Payment of County’s Warrants and Miscellaneous Bills
- 4.) Repurchase of Tax Forfeited Parcels pursuant to 282.241
- 5.) Application for Exempt Permit – East Central Friends of the NRA
- 6.) License Applications for 1 Day to 4 Day Temporary On-Sale Liquor Licenses

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

On motion by Greene, seconded by Montzka, 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.

8 On motion by Robinson, seconded by Greene, the Board moved to direct the Planning Commission to implement the draft amendment concerning the attached draft zoning ordinance No. 08-03 Amendment to Section 4.08.1 accessory structures and uses in (A), (AP), and (PAT) Districts; and Section 5.06 Agricultural District as presented and/or amended. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

9 On motion by Greene, seconded by Montzka, the Board moved to approve the IPS Solar Interim Use Permit Amendment to construct a one-megawatt solar garden on Peter and Donna Lindgren property at the NE corner of County Roads 9 & 11, Sunrise Township, Sec. 28, T.35, R20 (PID #08.00269.00) with findings as presented and conditions as recommended by the Planning Commission and/or as amended at tonight's meeting. The motion **carried** as follows: **IN FAVOR THEREOF:** Greene, Dunne, Montzka, Robinson. **OPPOSED:** DuBose.

10 On motion by Robinson, seconded by Greene, the Board moved Approve the CUP request (Waldorf PID#09.00048.00), generally as 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.

Chisago County Board finds the proposal with appropriate modification and conditions is consistent with the County's Comprehensive Plan and the County Zoning Ordinance and concurs with and approves the following findings and conditions:

Findings:

1. *Is the proposal consistent with the Comprehensive Plan and development policies of the County?* Yes. The Chisago County Comprehensive Plan outlines a number of goals and policies which are meant to support and encourage activity which will draw visitors to Chisago County. Within Chapter 6, Economic Development an identified goal is to "Provide for a range of economic diversity and development opportunities to maintain and strengthen the County's economy". Policy #3 for achieving states "Promote tourism and commercial recreation as expanding opportunities for employment and tax base".

2. *Will the use create and excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?* No. The proposal will not create excessive demand on existing parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the area.

3. *Will the use 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?* Yes. The proposed use as requested for low impact classes on weekends, and an occasional small scale event in Staff's opinion are not likely to have a negative impact on future development. The CUP is specific to the number of days, number of attendees, and hours of operation. If the Applicant in the future would wish to expand the activity to allow for additional attendee numbers on a larger scale then an Amendment to the CUP would be necessary to ensure further review of this consideration.

4. *Will the structure have an appearance that will have an adverse effect upon adjacent properties?* No. The property and neighboring properties are wooded and well screened from each other.

5. *Is the use in the opinion of the County reasonably related to the overall land use goals of the County and to the existing land use, and consistent with the purposes of the Zoning Ordinance/Zoning District in which the applicant intends to locate the proposed use?* Yes. As previously stated, the proposed is a Rural Retail Tourism activity as allowed by Conditional Use Permit in the Agriculture District.

6. *Will the use cause traffic hazard or congestion?* No. the use as proposed is not likely to create additional traffic hazard or congestion.

7. *Will existing nearby properties be adversely affected by intrusion of noise, glare or general unsightliness?* No. As presented it is apparent that the five neighboring homes are approximately 500 – 700 feet away with wooded buffer. Most activities will be held indoors, or small outdoor classes which will not generate any more noise than other residential uses common in a yard, or a family gathering. The substantial tree buffer will aid in keeping sound from traveling to the neighbors.

Conditions:

1. This is a Conditional Use Permit for a Rural Retail Tourism business, to include the following activities:

- Use of the accessory structures and outdoor spaces as class and gathering spaces
 - Use of the home as overnight lodging and sanitation facilities for class attendees and Bed and Breakfast occupancy not to exceed use of 3 double occupancy rooms at any given time.
2. Hours, days, and frequency of operation for classes shall be seven days a week between the hours of 8:00 a.m. and 10 p.m. with no more than once class per day.
 3. The maximum number of customer/class attendees shall be 10.
 4. Provision of food, beverage, and lodging, shall be in accordance with all applicable MN Department of Health and MN Department of Public Safety rules and regulations.
 5. All applicable State ADA requirements shall be met.
 6. Prior to occupancy of the existing structures in association with any class or event application of a building permit for a change of occupancy shall be made and any required modification shall be retrofitted as necessary, to meet all applicable building, plumbing and codes.
 7. Signage shall be in accordance with Section 4.14 of the Zoning Ordinance.
 8. 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.

11 On motion by Greene, seconded by Montzka, the Board moved to approve the Peter Jadoonath and Emily Nordquist request for a Rural Retail Tourism Conditional Use Permit to operate a pottery studio and host two “backyard pottery” sales events per year at 30208 Tern Avenue, Shafer Township, (PID #08.00353.00) 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.

12 On motion by Robinson, seconded by Montzka, the Board moved to authorize signature and approve the Diamond Acres final plat located in Fish Lake Township, 42370 Diamond Avenue, in Section 36, T. 36, R. 22, (PID #03.00564.00). The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

13 On motion by Greene, seconded by Dunne, the Board moved to approve the CLIMB Theatre Contract Agreement, for services to be performed at the September 23, 2021, Chisago County Children’s Water Festival. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

CITIZENS FORUM

TIME – 7:13 p.m.

END TIME – 7:13 p.m.

0 letters, 0 emails, # of **SPEAKERS** = 0

14 On motion by Greene, seconded by Dunne, the Board moved to accept the August 10th Budget and Finance Report. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

15 On motion by Montzka, seconded by Dunne, the Board moved to acknowledge and accept the resignation of Ms. Amy Chavez, Chisago County Probation Director. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka. **OPPOSED:** Robinson.

16 On motion by Robinson, seconded by Greene, the Board moved to approve the Agreement for Medical Examiner Service with Dr. Quinn Strobl and Anoka County which shall commence on January 1, 2022, and terminate on December 31, 2023, subject to County Attorney approval. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

17 On motion by Montzka, seconded by Greene, the Board moved to approve the County Veterans Service Office Operational Enhancement Grant Program Resolution. The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

18 On motion by Greene, seconded by Montzka, the Board moved to approve the SHIP Grant Agreement – Women’s Environmental Institute (WEI). The motion **carried** as follows: **IN FAVOR THEREOF:** DuBose, Greene, Dunne, Montzka, Robinson. **OPPOSED:** None.

19 The Board agreed by consensus to postpone the staffing request for the Chisago County Attorney’s Office for a media services technician and paid law clerk using ARP funds.

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 Montzka, the Board adjourned the meeting at 7:44 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