

REGULAR MEETING OF THE ISANTI COUNTY BOARD OF COMMISSIONERS

Wednesday, March 20, 2019, at 9:00 a.m. – Government Center Boardroom

Members Present: Chairperson Mike Warring; Commissioners Greg Anderson, Susan Morris, Terry Turnquist
Members Absent: Commissioner Dave Oslund
Others Present: K VanHooser, J Edblad, J Becker, J Frank, B Ricke, C Struss, T Bergloff, M Jensen, P Messer, T Buttacavoli, R Heilman; (Reporter: J Kotila, N Olson)

00o Chairperson Warring called the meeting to order and led the assembly in the Pledge of Allegiance.

00o Public Comment Session. There was no Public Comment.

19/03-19 Motion by Anderson, seconded by Turnquist, to approve the March 20, 2019, County Board Agenda with the following additions: F-1 – Utility Permits; F-2 – Approve Town Road Payments; F-3 – Approve Resolution No. 19-13-06, LRIP – CSAH 4; and F-4 – Approve Resolution No. 19-13-07, MNDOT Agreement #1033153. Motion carried. Absent: Oslund.

19/03-20 Motion by Turnquist, seconded by Anderson, to approve the March 6, 2019, County Board Minutes. Motion carried. Absent: Oslund.

19/03-21 Motion by Morris, seconded by Anderson, to approve the following Personnel Action Items: to ratify the hire of Cody Brown, Heavy Equipment Mechanic, effective March 19, 2019; to ratify the hire of Jace Cooper, full time Deputy Sheriff, effective March 28, 2019; to approve the transfer of Chris Julicher, part time Transit Bus Driver, to full time Transit Bus Driver, effective March 7, 2019; to approve the transfer of Shanna Andreotti, part time Transit Bus Driver, to full time Transit Bus Driver, effective March 7, 2019; to approve the transfer of Eileena Forsberg, part time Administrative Assistant III, to full time Administrative Assistant III, effective March 11, 2019; to approve the regular full time status of Courtney Godeen, Welfare Fraud Investigator, effective March 1, 2019; to approve the regular full time status of Katelynn Hannus, Legal Administrative Assistant, effective April 30, 2019; to accept the resignation of full time Eligibility Worker, Jennifer Slothouber, effective March 29, 2019; and to accept the withdrawal of resignation from Sara Sandberg, Child Support Officer, dated March 8, 2019, and remain regular full time status. Motion carried. Absent: Oslund.

19/03-22 Motion by Anderson, seconded by Warring, to approve the following claims and warrants:

Advanced Correctional Healthcare	\$13,941.60	Maple Ridge Township	\$17,774.00
Athens Township	\$29,748.40	MN DOT	\$15,284.41
Berts Auto Body	\$5,814.55	Nac Mechanical	\$6,269.08
Bradford Township	\$40,873.79	North Branch Township	\$30,624.26
Cambridge Township	\$32,271.66	Office of MN IT Svcs.	\$7,507.19
Centerpoint Energy	\$12,422.06	Oxford Township	\$17,542.12
Dalbo Township	\$19,021.28	Spencer Brook Township	\$28,494.42
D&G Electric Inc	\$5,211.75	Springvale Township	\$24,716.72
East Central Energy	\$17,893.06	Stanchfield Township	\$23,895.36
Federated Co-Ops (Hwy)	\$18,617.36	Standford Township	\$30,372.23
Isanti Township	\$28,457.23	WatchGuard	\$20,977.00
Jeff's Outdoor Services	\$16,252.50	Wyanett Township	\$26,870.53
		Total Claims & Warrants	\$490,852.56

Motion carried. Absent: Oslund.

00o Jennie Becker, Judy Frank, and Brian Ricke, gave a presentation on the Jail Literacy Program.

19/03-23 Motion by Turnquist, seconded by Morris, to approve the following resolution: ACCEPTANCE OF DONATIONS TO ISANTI COUNTY. WHEREAS, it is the policy of Isanti County that gifts and donations to the County shall be accepted by the Board of Commissioners; WHEREAS, various departments and programs within Isanti County have received gifts and donations during the month of February 2019 as follows: Zoning Department for 5th/6th Grade Conservation Day: Cambridge Township - \$700.00; Sheriff Department for Safety & Rescue Program: US Venture Inc. - \$217.00; Sheriff Department for Triad Program: Isanti Lions Club - \$500.00, and Minnesota Elder Justice Center - \$100.00. NOW THEREFORE BE IT RESOLVED, that the Isanti County Board of Commissioners hereby formally accepts these gifts and donations. Motion carried. Absent: Oslund.

19/03-24 Motion by Morris, seconded by Anderson, to approve payment to Waste Management in the amount of \$4,200.00 for the month of February, 2019, for materials recycled and marketed; further said funds to come from SCORE. Motion carried. Absent: Oslund.

PLANNING COMMISSION ACTIONS

19/03-25 Motion by Anderson, seconded by Morris, to approve the request of Donald Kohler, 4525 Allendale Drive, St. Paul, MN 55127, to present a preliminary plat of Lucius Addition. Legal description is the W ½ of the SE ¼ of the SE ¼ of Section 26, Township 35, Range 22, North Branch Township, with the following conditions: 1. Soil borings indicating two septic locations for each lot must be completed before the final plat approval. 2. The existing shed must meet the 30' side yard setback requirements and/or be removed from the property prior to final plat approval. Motion carried. Absent: Oslund.

19/03-26 Motion by Turnquist, seconded by Anderson, to approve the request of Keith and Linda Fluth, 37958 Variolite Street NW, Dalbo, MN 55017, to present a preliminary plat of North Stanchfield Lake Shores. Legal description is Government Lot 6 of Section 33, Township 37, Range 25, Dalbo Township, with the following conditions: 1. Soil borings indicating two septic locations for each lot must be completed before the final plat approval. 2. A joint inspection with the County Road Engineer and a Township Supervisor must be accomplished to ensure all specifications and requirements have been met prior to accepting the road as a Township Road. 3. Must obtain a wetland permit for construction of the Township Road prior to application of the final plat. 4. A variance must be received for the cul-de-sac length in this subdivision. 5. The easement must be recorded when the final plat is recorded. Motion carried. Absent: Oslund.

19/03-27 Motion by Turnquist, seconded by Anderson, to approve the request of Keith and Linda Fluth, 37958 Variolite Street NW, Dalbo, MN 55017, to present a preliminary plat of Rum River Preserve. Legal description is Outlots A, B, and D of recorded plat of Rum River Preserve of Section 28, Township 36, Range 24, Springvale Township, with the following conditions: 1. Soil borings indicating two septic locations for each lot must be completed before the final plat approval. 2. An easement for Lot 4 to be recorded when the final plat is recorded. 3. Outlot C needs to have a non-exclusion easement for access to Lot 4 and the Township Board feels there could be a better alternative for accessing Lot 4 other than using Outlot C. Outlot C was platted for a future roadway. 4. The driveways need to be at least 100' apart. 5. Review of driveway place from Highway 95 intersection needs to be reviewed for Lot 1. 6. The Township Board would like to approve changes/corrections before the final plat is presented to the County Board. Motion carried. Absent: Oslund.

19/03-28 Motion by Morris, seconded by Anderson, to approve the request of Cynthia Lind-Livingston, 30550 Jordrell Street NE, Cambridge, MN 55008, to present a preliminary plat of Jodrell Addition. Legal description is S ½ of the NE ¼ of Section 18, Township 35, Range 22, North Branch Township, with the following conditions: 1. Soil borings indicating two septic locations for each lot must

be completed before the final plat approval. 2. The easement for Lot 1, Block 1 must be recorded when the final plat is recorded. Motion carried. Absent: Oslund.

19/03-29 Motion by Turnquist, seconded by Anderson, to approve the request of Reliable Land and Trust, LLC, 33293 Xkimo Trail NW, Cambridge, MN 55008, to present a preliminary plat of West Side Commercial. Legal description is the NW ¼ of the NE ¼ Fct. of Section 25, Township 36, Range 25, Waynett Township, with the following conditions: 1. Soil borings indicating two septic locations must be completed before the final plat approval. 2. The existing driveway and pole building must be removed prior to the recording of the final plat. 3. The road/cul-de-sac must be constructed and inspected prior to the final plat being recorded. 4. The cul-de-sac must have Township and MN DOT approval. 5. The septic system on Lot 1, Block 1 must be replaced prior to recording the final plat. Motion carried. Absent: Oslund.

19/03-30 Motion by Morris, seconded by Anderson, to approve the request of Christopher Gagnon, 4128 331st Avenue NE, Cambridge, MN 55008 to rezone a property from Agriculture/Residential District to Business District. Legal description is the W ½ of the SW ¼ of the NE ¼ of Section 20, Township 35, Range 23, Isanti Township, with the following findings: 1. Meets the Isanti County Comprehensive Plan Objective No. 12: to promote economic development opportunities in the county. 2. The property is located off a major corridor being located on State Highway 65 and is adjacent to existing businesses. 3. This area has already been developed in the Business District. 4. This is a logical area for this rezoning. Motion carried. Absent: Oslund.

19/03-31 Motion by Morris, seconded by Warring, to set a Public Hearing on Wednesday, April 17, 2019, at 9:30 a.m. in the Isanti County Board Room of the Isanti County Government Center, 555 18th Avenue SW, Cambridge, MN 55008, to consider amending the zoning from Agriculture/Residential to Business for the property described as the W ½ of the SW ¼ of the NE ¼ of Section 20, Township 35, Range 23, Christopher Gagnon. Motion carried. Absent: Oslund.

19/03-32 Motion by Morris, seconded by Turnquist, to approve the request of Pamela Streed, 31043 Polk Street NE, Cambridge, MN 55008, for a conditional use permit for a farm winery business. Legal description is the SW ¼ of the SW ¼ except the SW ¼ of the SW ¼ of the SW ¼ & Pt. of the NW ¼ of the SW ¼ (66' X 1,320') of Section 8, Township 35, Range 23, Isanti Township, with the following conditions and findings: 1. Hours of operation Thursday 4:30 pm to 7:30 pm, Friday through Sunday 12:00 pm to 7:30 pm. 2. Traffic for the tasting room will be no more than 18 vehicles on site at one time. Maximum of 40 people. 3. Up to nine special events per year with one (1) day maximum. 50 people maximum onsite for a special event, this number does not include employees or volunteers. 4. The hours of operation for a special event will be 12:00 pm to 8:00 pm. 5. Subsurface Sewage Treatment Systems (SSTS) shall be designed in compliance with Section 14, Subdivision 3 of this Ordinance and sized to accommodate employee, tasting room, and commercial sewage flows. Portable toilets will be permitted during special events only. 6. A new well will be drilled that meets MN Department of Health requirements. 7. One 35 square foot lighted sign with full cut off (no glare) fixtures at the property line. 8. No amplified outdoor music allowed. 9. All solid waste must be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions and must be removed at least once every seven days by a licensed Solid Waste Hauler. Burning of solid waste is strictly prohibited. 10. Must obtain all applicable State, Local and Federal licenses and that they must turn in a copy of their State License to the Isanti County Zoning Office. 11. A handicap bathroom will be provided inside the business and must meet all accessibility requirements per State and Federal law. 12. All left over residue will be put back in the vineyard as compost. 13. Must comply with State Building Code requirements. 14. Must maintain all drainage on their own property. 15. The farm winery, sales facilities, and retail operations must be operated by the owner of the parcel on which they are located. 16. Adequate parking for employees and customers shall be provided on site and shall meet the parking standards of Section 14, Subdivision 2 of the Isanti County Zoning Ordinance. The parking area must be located a minimum of 30 feet (30') from property lines and public road right-of-way. Non on-

street parking will be allowed. 17. Noise, fumes, dust, odors, vibration, or light generated as a result of the farm winery processing or sales will, at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort, or outdoor recreation of an individual of ordinary sensitivity and habits. 18. The grounds and all structures shall be maintained in a clean and safe manner. 19. Farm winery are allowed to sell glassware, literature and accessories, prepackaged food items properly labeled in accordance with all applicable state regulations, and other wine-, beer- or spirit-related food items. Sales of non-wine, beer and spirits merchandise shall be subordinate to the wine, beer, and spirit sales. 20. Wine tastings will be held during business hours. The primary focus of the tasting facilities for farm winery shall be the marketing and sale of the wine produced, vented, cellared, or bottled at the farm winery. Foods that are allowed to be consumed during tastings shall be limited to delicatessen-oriented foods, such as sandwiches, cheeses, cold cut meats, and pizzas. Bars, restaurants, and similar facilities are not allowed in association with the farm winery under this section of the ordinance. 21. The owner shall be responsible for supervising and controlling the activities of their customers within the establishment. The farm winery owner shall ensure that no disorderly behavior occurs in this area, that farm winery drinks are not taken out of the designated area, and that there are not more customers occupying the establishment than the maximum capacity allowed under this ordinance. 22. The farm winery established, enlarged, or remodeled shall be so operated as to prevent the emission of odorous matter of such quantity as to be readily detectable at any point beyond the lot line of the site on which such use is located. Detailed plans for the preservation of odors crossing property lines may be required before the issuance of a building permit, with the exception of odors from agricultural sources unless regulated by any State or Federal Law or Regulation. 23. Any lights used for exterior illumination shall direct light away from adjoining properties and roadways. 24. The screening shall be a double row or more of evergreen trees that can be shown to provide seventy – five (75) percent of blockage within two years. The screening shall be placed along the property lines, or in case of screening along a street, fifteen (15) feet from the street right of way, with landscaping between the screening and the pavement. 25. Any exterior storage must be stored in a manner that will not constitute a hazard to the public health and safety, or has a depreciating effect upon nearby property values, or impairs scenic views, or constitutes a threat to living amenities. 26. All waste material, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. The owner of vacant land shall be responsible for keeping such land free of refuse. Findings: 1. This is an ideal use for this location and will increase property values so the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the immediate vicinity. 2. This use is low impact and fits into the neighboring properties activities so the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. They will be adding a driveway so that adequate utilities, access roads, drainage and other necessary facilities have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. 5. Noise, fumes, dust, odors, vibration, or light generated as a result of the farm winery processing or sales will, at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort, or outdoor recreation of an individual of ordinary sensitivity and habits. Motion carried. Absent: Oslund.

O0o Mark Jensen, Fiscal Supervisor, presented his agency's monthly financial report to the Board.

19/03-33 Motion by Turnquist, seconded by Morris, to approve the interagency agreement between Isanti County as Fiscal Host for the Region 7E Adult Mental Health Initiative Governing Board and the Mora Housing and Redevelopment Authority (HRA). Motion carried. Absent: Oslund.

O0o The Board was advised that the number of Income Maintenance cases as shown by the MAXIS system as of February 28, 2019, was 2,214.

19/03-34 On motion by Mike Warring and seconded by Greg Anderson, 1) Approval was given for all public assistance and social service actions, public assistance and social service expenditures, and social welfare expenditures as listed on the agenda of this meeting and as detailed in supporting documents maintained in the Family Services Department and 2) Payment of the following Family Services Department claims for Public Assistance, Administration, and Social Services was approved:

Aurora Plains Academy	10,279.92	Prairie Lakes Detention Ctr-Residential	12,965.59
Canvas Health	32,452.00	Rise Incorporated	34,962.00
Department of Human Services	10,134.45	Village Ranch, Inc	5,267.64
Isanti County Auditor-Treasurer	26,976.00	Volunteers of America	13,881.40
Isanti County Family Services	5,558.00	Woodland Hills	7,201.95
Lighthouse Child & Family Svcs	12,660.72	Woodland Hills-Res Treatment/Corr.	58,450.80
Minnesota Girls Academy	8,510.88	U.S. Postal Service (Hasler)	6,000.00
Oregon, Inc.	5,232.80	Auditors	347,531.33
Pine Technical College	19,912.23	Total all Family Svcs. Vouchers	<u>617,977.71</u>

Motion carried. Absent: Oslund.

00o At this time, a Public Hearing was held to consider adopting a revision of An Ordinance Regulating the Possession, Sale and Consumption of Tobacco and Tobacco Related Devices and Products Ordinance. Kevin VanHooser, County Administrator, read the following published Public Notice into the record: NOTICE IS HEREBY GIVEN that the Isanti County Board of Commissioners will hold a public hearing on Wednesday, March 20, 2019, at 10:00 a.m. in the County Board Room, Isanti County Government Center, 555 18th Avenue SW, Cambridge, MN 55008, to consider adopting a revision of An Ordinance Regulating the Possession, Sale and Consumption of Tobacco and Tobacco Related Devices and Products Ordinance. A full copy of this proposed ordinance can be viewed on the county website @ <http://www.co.isanti.mn.us> and/or the County Public Health Office. By order of the Isanti County Board of Commissioners this 6th day of February, 2019. Written comments were received. Public comment was made.

19/03-35 Motion by Morris, seconded by Turnquist, to close the Public Hearing (10:55 a.m.). Motion carried. Absent: Oslund.

19/03-36 Motion by Turnquist, seconded by Morris, to adopt the revised Ordinance Regulating the Possession, Sale and Consumption of Tobacco and Tobacco Related Devices and Products, effective on June 1, 2019. Motion carried. Absent: Oslund.

19/03-37 Motion by Morris, seconded by Warring, to approve the following utility permits: Permit No. 19-03-06: CenturyLink, a pedestal on CSAH 9, approximately 850' East of Rochester Street NE; Permit No. 19-03-07: CenturyLink, a pedestal on CR 39, near the intersection of CSAH 7; and Permit No. 19-03-08: Midcontinent Communications, a pedestal and cable on CSAH 4, 592' West of Marsh View Avenue. Motion carried. Absent: Oslund.

19/03-38 Motion by Turnquist, seconded by Anderson, to approve the 2019 town road allotment payments as follows: Athens - \$29,748.40; Bradford - \$40,873.79; Cambridge - \$32,271.66; Dalbo - \$19,021.28; Isanti - \$28,457.23; Maple Ridge - \$17,774.00; North Branch - \$30,624.26; Oxford - \$17,542.12; Spencer Brook - \$28,494.42; Springvale - \$24,716.72; Stanchfield - \$23,895.36; and Wyanett - \$26,870.53. For a total of \$350,662.00. Motion carried. Absent: Oslund.

19/03-39 Motion by Turnquist, seconded by Morris, to approve the following resolution: RESOLUTION NO. 19-13-06. Local Road Improvement Program Funding. CSAH 4. WHEREAS, the

Commissioner of Transportation has given notice that potential funding is available through the Local Road Improvement Program, and WHEREAS, Isanti County is submitting CSAH 4, from University Avenue to TH 65, for funding consideration, and BE IT RESOLVED, that Isanti County supports this project and any funding assistance that could be provided through the Local Road Improvement Program. Motion carried. Absent: Oslund.

19/03-40 Motion by Anderson, seconded by Turnquist, to approve the following resolution: RESOLUTION NO. 19-13-07. Cooperative Construction Agreement. Rural Intersection Conflict Warning System and Lighting. T.H. 47 and C.S.A.H. 5. BE IT RESOLVED, that Isanti County enter into MnDOT Agreement No. 1033153 with the State of Minnesota, Department of Transportation for the following purposes: To provide electrical power of the Rural Intersection Conflict Warning System and ownership, operation, and maintenance of the Lighting System at Truck Highway 47 and County State Aid Highway 5. The construction is to be performed under State Project No. 3001-28(T.H. 48=110). BE IT FURTHER RESOLVED, that the County Board Chair and the County Engineer are authorized to execute the Agreement and any amendments to the Agreement. Motion carried. Absent: Oslund.

19/03-41 Motion by Morris, seconded by Turnquist, to adjourn (11:35 a.m.). Motion carried. Absent: Oslund.

Kevin VanHooser, County Administrator

Mike Warring, County Board Chairperson

By: Halee Turner, Administrative Assistant II