



**Mission:**  
Working Together to Deliver Quality Services that are Valued by the Community, Today and Tomorrow  
**Vision:**  
A modern community where all are treated as neighbors

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**Regular Meeting of the Isanti County Board of Commissioners**  
**Tuesday, April 4, 2023, at 9:15 a.m.**  
**Government Center Board Room**

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Members Present: Chairperson Mike Warring; Commissioners Alan Duff, Bill Berg, Steve Westerberg, Kristi LaRowe

Members Absent: None

Others Present: C Struss, J Bergerson, W Seiberlich, A Usher, T Bergloff, R Anderson  
(Reporter: B Stickle and N Hallman)

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

00o Public Comment Session. Public comment was made.

23/04-01 Motion by Duff, seconded by Berg, to approve the April 4, 2023, County Board Agenda. Motion carried unanimously.

23/04-02 Motion by Westerberg, seconded by LaRowe, to approve the March 21, 2023, County Board Meeting Minutes. Motion carried unanimously.

23/04-03 Motion by LaRowe, seconded by Westerberg, to approve the Resolution Authorizing Administration of Minnesota Housing Finance by Lake & Pines as follows: RESOLUTION AUTHORIZING ADMINISTRATION OF MINNESOTA HOUSING FINANCE AGENCY'S FAMILY HOMELESS PREVENTION AND ASSISTANCE PROGRAM October 1, 2023 – September 30, 2025 WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide assistance to low-income families and youth to prevent homelessness; and WHEREAS, Lakes and Pines Community Action Council, Inc. has developed an application as an Administering Entity for the Minnesota Housing Finance Agency's Family Homeless Prevention and Assistance program; and WHEREAS, Lakes and Pines Community Action Council, Inc. has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency's Family Homeless Prevention and Assistance Program. NOW, THEREFORE BE IT RESOLVED, that Lakes and Pines Community Action Council, Inc. is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency's Family Homeless Prevention and Assistance Program, in the County of Isanti. Motion carried unanimously.

23/04-04 Motion by Westerberg, seconded by Duff, to approve the professional services proposal for construction surveying and staking on CSAH 5 to LHB, Inc. in the amount of \$54,874 and authorize the County Engineer to enter into contract. Motion carried unanimously.

23/04-05 Motion by Westerberg, seconded by LaRowe, to approve the Reimplementation of Administrative Citations Program under the guidelines outlined in state statute for the Isanti County Sheriff's Office. Motion carried unanimously.

23/04-06 Motion by Warring, seconded by Berg, to approve to appoint Chad Struss as County Administrator. Motion failed. Voting in favor: Warring, Berg. Opposed: Westerberg, LaRowe, Duff.

23/04-07 Motion by Duff, seconded by Westerberg, to approve the 2023 AIS Agreement for Watercraft Inspection Services with WaterGuards, LLC. Motion carried unanimously.

23/04-08 Motion by Westerberg, seconded by Duff, to approve the Recycling Facility License for Waste Management. Motion carried unanimously.

23/04-09 Motion by LaRowe, seconded by Westerberg, to approve the Final Plat for Eastlund Acres Phase 3. Legal description is Lot 1 Block 1 Eastlund Acres Phase 2 of Section 34, Township 35, Range 23, Isanti Township. Motion carried unanimously.

23/04-10 Motion by Westerberg, seconded by Berg, to approve the Community Health Board Actions. Motion carried unanimously.

23/04-11 Motion by Berg, seconded by Duff, to approve the following Personnel Action Items: Ratify the hire of Shawn Kelly, full-time Deputy Sheriff, effective April 6, 2023; ratify the hire of Abby Malecha, full-time Social Worker, effective April 10, 2023; ratify the hire of Avi Bahadoor-Yetman, full-time Public Health Planner, effective June 20, 2023. Approve the promotion of Chad Meyer, full-time Sergeant, to full-time Sheriff Captain, effective March 23, 2023; approve the Transfer of Jade Lehrer, full-time Customer Service Specialist, to full-time Property Services and Elections Specialist, effective April 6, 2023. Approve the regular full-time status of Cody Goodhart, Heavy Equipment Operator, effective April 6, 2023; approve the regular full-time status of Kayla Houchins, Corrections Officer, effective April 7, 2023; approve the regular full-time status of Samantha Van De Walker, Child Support Enforcement Aide, effective April 20, 2023. Accept the completion of employment for Taylor Gustafson, Temporary Adult Probation Agent, effective March 21, 2023. Motion carried unanimously.

23/04-12 Motion by Duff, seconded by LaRowe, to approve the following Isanti County Dedicated Second Amendment County Resolution: ISANTI COUNTY OF MINNESOTA DEDICATED SECOND AMENDMENT COUNTY RESOLUTION WHEREAS, the Second Amendment of the United States Constitution reads “A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed;” and WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states; and WHEREAS, certain legislation that has or may be introduced in the Minnesota Legislature, and certain legislation which has or may be introduced in the United States Congress could have the effect of infringing on the rights of law-abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution; and WHEREAS, the Isanti County Board of Commissioners is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Isanti County to keep and bear arms; and WHEREAS, the Minnesota Legislature has before it House File 396 (HF396) and Senate File 1723 (SF1723) regarding additional requirements for firearm and ammunition storage; and WHEREAS, HF396 and SF1723 contain language that would not allow lawful, responsible gun owners to quickly protect themselves and their families if they need to retrieve a firearm and ammunition from separate secure areas; and WHEREAS, the ability to protect oneself and one’s family in one’s home is a critical issue because law enforcement response can be delayed in rural areas of Minnesota due to the mere geographic size of the counties; and WHEREAS, an existing statute, Minnesota Statute 609.666, already addresses negligent

storage of firearms; and WHEREAS, the Isanti County Board of Commissioners wishes to express its deep commitment to the rights of all citizens of Isanti County to keep and bear arms; and WHEREAS, the Isanti County Board of Commissioners wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Isanti County to keep and bear arms; and WHEREAS, the Isanti County Board of Commissioners wishes to express its intent to stand as a Dedicated County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the State of Minnesota, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens of Isanti County to keep and bear arms; NOW, THEREFORE, BE IT RESOLVED by the Isanti County Board of Commissioners that the Isanti County Board of Commissioners hereby declares Isanti County, Minnesota as a “Dedicated Second Amendment County”; and BE IT FURTHER RESOLVED that the Isanti County Board of Commissioners hereby expresses its intent to uphold the rights of the citizens of Isanti County, Minnesota as guaranteed by the Second Amendment; and BE IT FURTHER RESOLVED that the Isanti County Board of Commissioners hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms; and BE IT FURTHER RESOLVED that the Isanti County Board of Commissioners will refuse to appropriate any Isanti County resources to enforce any mandate, law, policy, order, or any other directive which infringes on the rights of law-abiding citizens to keep and bear arms. Whereupon, the resolution was declared duly passed and adopted by the Isanti County Board of Commissioners on this 4th day of April, 2023. Motion carried. Opposed: Berg, Warring

23/04-13 Motion by Berg, seconded by Westerberg, to approve the following County Surveyor Rates effective February 1, 2023: Office Time - Registered Land Surveyor \$ 100.00/hour; Survey Technician \$90.00/hour. Two Man Field Crew \$195.00/hour; Survey-grade GPS Equipment \$40.00/hour; ATV – 4 Wheeler \$10.00/hour. Motion carried unanimously.

23/04-14 Motion by Westerberg, seconded by Duff, to approve the termination of the lease agreement with State of Minnesota. STATE OF MINNESOTA TERMINATION OF LEASE NO. 11528 THIS AGREEMENT is made by and between Isanti County hereinafter referred to as LANDLORD, and the STATE OF MINNESOTA, Department of Administration, hereinafter referred to as TENANT, acting for the benefit of the Department of Corrections, who agree as follows: 1. IDENTIFICATION OF LEASE The parties hereto entered into a written Lease dated April 5, 2007, bearing the number 11528, in which LANDLORD granted and TENANT accepted a rental of premises located in the City of Cambridge, County of Isanti, Minnesota 55008 described as follows: approximately two thousand one hundred fifty one (2,151) usable square feet of space in the Oakview Building, (“Building”) located at 1700 East Rum River Drive South. 2. OBJECTIVE The parties wish to terminate the Lease so that TENANT can vacate the Leased Premises within the time period provided in this Agreement, and so that LANDLORD and TENANT can be released and discharged from further performance of the Lease provisions. 3. EFFECTIVE DATE The effective date of this Agreement, for the termination of Lease No. 11528, shall be at the close of normal working hours on June 30, 2023. 4. RELEASE OF LIABILITY Conditioned on the performance by the parties of the provisions of this Agreement, on the effective date of this Agreement LANDLORD and TENANT shall be fully and unconditionally released and discharged from their respective obligations arising from or connected with the provisions of the Lease. 5. REPRESENTATIONS OF PARTIES a. Each party represents that it has not made any assignment, sublease, transfer, conveyance or other disposition of the Lease, or interest in the Lease, or any claim, demand, obligation, liability, action or cause of action arising from the Lease. b. The parties have read this agreement and the mutual releases contained in it, and they have freely and voluntarily entered into the agreement. 6. EXECUTION IN COUNTERPARTS This Termination of Lease agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed to be an original and all of which counterparts of this Termination of Lease agreement taken together shall constitute but one and the same agreement. Delivery of an executed counterpart of this Termination of Lease agreement by facsimile or

email or a PDF file shall be equally as effective as delivery of an original executed counterpart of this Termination of Lease agreement. Motion carried unanimously.

O0o Commissioner Committee Reports

23/04-15 Motion by Warring, seconded by Duff, to approve the following utility permits: Permit No. 23-04-09; CSAH 19A – Midcontinent Communications - To install a fiber optic cable along CSAH 19A from TH 95 to 2700 ft south to 32068 Lever St NE.; Permit No. 23-04-10; CR 45 - Midcontinent Communications - To install a fiber optic cable along CSAH CR 45 from 31804 Xylite St NE to 6500 ft south to 30851 Xylite ST NE.; Permit No. 23-04-11; CR 43 - Midcontinent Communications - To install a fiber optic cable along CSAH 43 from 2150 313th Ave NE to 235 ft west to the intersection of Rochester St and Cr 43.; Permit No. 23-04-12; CR 70 - Midcontinent Communications - To install a fiber optic cable along CR 70 from TH 95 to 2nd Ave SE.; Permit No. 23-04-13; CSAH 19A - Midcontinent Communications - To install a fiber optic cable along CSAH 14 from the NW corner of Spruce St N and CSAH 14 to TH 95,. Motion carried unanimously.

23/04-16 Motion by Warring, seconded by Westerberg, to approve the following Claims & Warrants:

DW Companies LLC	\$14,330.25	MnCCC Lockbox	\$18,456.48
EuroOptic	\$15,689.69	Mystic Riders	\$12,370.71
Federated Co-Ops Inc	\$23,699.84	Shi International Corp	\$65,170.40
Hansen Surveying	\$15,260.00	The Masters Touch LLC	\$7,656.90
Hildi Inc	\$7,200.00	U.S. Postal Svc(Quadient/POC)	\$10,000.00
		Total Claims & Warrants:	\$189,834.27

Motion carried unanimously.

23/04-17 Motion by Duff, seconded by Westerberg, to adjourn (11:28 a.m.). Motion carried unanimously.

Chad Struss, Interim County Administrator

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Mike Warring, County Board Chairperson

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By: Colleen Anderson, Administrative Assistant II