



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

**Regular Meeting of the Isanti County Board of Commissioners
Wednesday, August 18, 2021, at 9:00 a.m.
Government Center Board Room**

Members Present: Commissioners Terry Turnquist, Dave Oslund, Mike Warring, and Greg Anderson
Members Absent: Chairperson Susan Morris
Others Present: J Lines, T Nelson, T Determan, L Godfrey, P Messer, C Struss, and T Bergloff;
(Reporter: J Kotila; R Kytonen)

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

00o Public Comment Session. Public comment was made.

21/08-14 Motion by Anderson, seconded by Oslund, to approve the August 18, 2021, County Board Agenda with the deletion of A-6 – Professional Services Agreement with International Thought Leader Network, LLC. Motion carried. Absent: Morris.

21/08-15 Motion by Oslund, seconded by Warring, to approve the August 4, 2021, County Board Meeting Minutes. Motion carried. Absent: Morris.

21/08-16 Motion by Warring, seconded by Anderson, to approve the following Personnel Committee Meeting recommendations: to approve filling the 1.0 FTE Highway Account Position as a Staff Accountant Position, assigned primarily to Highway accounting; to approve appointing Stacey Brown as the Assistant Veterans Services Officer in accordance with MN State Statute 197.60 for a period of four years, effective August 18, 2021. Motion carried. Absent: Morris.

21/08-17 Motion by Oslund, seconded by Warring, to approve the following Personnel Action Items: to ratify the hire of Sadie Werlein, full-time Child Protection Social Worker, effective August 19, 2021; to approve the regular full-time status of Jade Lehrer, Deputy Auditor I, effective August 17, 2021; to approve the regular full-time status of Paula Erie-Thompson, Office Support Specialist, effective September 2, 2021; to approve the regular full-time status of Crystal McGarry, Child Support Officer, effective September 18, 2021; to approve the completion of a Probation Agent Internship for David Payne, effective August 11, 2021; to appoint Stacey Brown as Assistant County Veterans Services Officer for a four year term (08/18/2021 – 08/18/2025) pursuant to MS 197.60 subdivision 2. Motion carried. Absent: Morris.

21/08-18 Motion by Anderson, seconded by Turnquist, to approve the changes to the following Personnel Policies: Grievance – Personnel Policy 15; Discipline – Personnel Policy 14 (specifically 14.3 H and I); and Termination of Employment – Personnel Policy 16 (specifically 16.3). Motion carried. Absent: Morris.

21/08-19 Motion by Oslund, seconded by Anderson, to approve the following Utility Permits: Permit No. 21-08-39: City of Isanti – storm sewer pipe on CSAH 23, from Mainstreet to Brookview Lane; Permit No. 21-08-40: City of Isanti – sidewalk on CSAH 5, from Hillock Court to Primary School; and Permit No.

21-08-41: Centerpoint Energy – gas main on CR 56, from 3534’ West of TH 65 to 1049’ West of TH 65. Motion carried. Absent: Morris.

21/08-20 Motion by Oslund, seconded by Turnquist, to approve the following claims and warrants:

Advanced Correctional Healthcare	\$13,991.81	Midwest Machinery Co	\$5,154.18
Beaudry Oil & Propane	\$11,189.49	Summit Food Service LLC	\$6,736.16
Blue Lake Improvement District	\$7,800.00	UHL Company Inc	\$7,167.00
Central Applicators Inc	\$5,578.28	WaterGuards	\$12,400.00
Foundation Appraisals Inc	\$21,240.00	Total Claims & Warrants	\$91,256.92

Motion carried. Absent: Morris.

00o Tiffany Determan and Lydia Godfrey, Isanti Soil & Water Conservation District, gave a progress update.

21/08-21 Motion by Warring, seconded by Oslund, to approve the following resolution: ACCEPTANCE OF DONATIONS. WHEREAS, is it 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 July 2021 as follows: Sheriff Department for Explorer Program: Northstar Recycling LLC - \$754.00, and Anonymous - \$44.50; Parks Department for Becklin Park: Cahoon, Gloria - \$300.00; and Parks Department for Medallion Hunt: Cambridge Family Dental - \$100.00, and Crawford’s Equipment - \$100.00. NOW THEREFORE BE IT RESOLVED, that the Isanti County Board of Commissioners hereby formally accepts these gifts and donations. Motion carried. Absent: Morris.

21/08-22 Motion by Oslund, seconded by Anderson, to approve the following resolution: PROPERTY ASSESSED CLEAN ENERGY (PACE) SPECIAL ASSESSMENT FOR TILTED CEDARS HOLDINGS, LLC. WHEREAS, the Isanti County Board of Commissioners approved an agreement with the Saint Paul Port Authority (the "SPPA") on November 7, 2018 designating the SPPA to implement and administer the Property Assessed Clean Energy ("PACE") improvement financing on behalf of the County, and providing for the imposition of special assessments pursuant to Minnesota Statutes Sections 216C.435 and 216C.436 and Chapter 429 (the "Act"); and as needed in connection with that program; and WHEREAS, the Isanti County wishes to encourage commercial and industrial reinvestment, and to be proactive in preparing for applications and petitions for special assessments from owners of property located in Isanti County desiring to participate in and receive financing pursuant to the Act; and WHEREAS, a property owner has submitted a PACE application to SPPA and is requesting the County apply a special assessment on the property owner's property tax bill; and WHEREAS, SPPA has reviewed the application and determined the interested property owner meets all eligibility requirements under PACE; and WHEREAS, SPPA, on behalf of the property owner, request the County apply a special assessment and collect repayment on property tax bills on behalf of the SPPA; and WHEREAS, after imposition of the special assessments, the County shall collect such assessments and remit them to the SPPA for use in repayment of the loan or bond and the County will take all actions permitted by law to recover the assessments, including without limitation, reinstating the outstanding balance of assessments when the land returns to private ownership, in accordance with Minnesota Statutes Section 429.071, Subd. 4; and WHEREAS, the special assessment shall be certified to the County Auditor-Treasurer and entered onto the tax lists for the year and the annual installment and interest shall be collected at the same time and in the same manner as real property taxes. NOW THEREFORE BE IT RESOLVED, the Isanti County Board of Commissioners requests the County Auditor-Treasurer to extend the proposed special assessment plus interest on the following property: Owner: Tilted Cedar Holdings, LLC; Address: 4242 285th Avenue NW, Isanti, MN 55040; Parcel ID: 02.111.0020; Assessment Request: \$49,380.00; Interest Rate: 4.25%; Interest Starts Accruing: January 1, 2022; Term: 10 years. Such assessments shall be payable in equal

annual installments extending over the term of the special assessment, the first of the installments to be payable with general property taxes in 2022, and shall bear interest at the rates per annum and interest start dates stated above, and to the first installment shall be added interest on the entire assessment from the interest start date until December 31 of the taxes payable year to which the first installment will be extended, and to each subsequent installment, when due, shall be added interest for one year on all unpaid installments, and to each installment shall also be added the special assessment administration fee required by Minnesota Statutes Section 429.061, Subd. 5; and NOW BE IT FURTHER RESOLVED, the Isanti County Board of Commissioners directs the County Administrator to send a certified copy of this resolution to the County Auditor-Treasurer to extend these assessments on the property tax lists of the County. Motion carried. Absent: Morris.

21/08-23 Motion by Turnquist, seconded by Anderson, to approve the professional services agreement between Isanti County and DS Solutions, Inc for online election judge training services. Motion carried. Absent: Morris.

21/08-24 Motion by Oslund, seconded by Warring, to approve the following resolution: A RESOLUTION DENYING THE REINSTATEMENT OF THE CONTRACT FOR DEED ON PARCEL 04.025.0500. WHEREAS, Sheila Miller has expressed an interest in reinstating the contract for deed for parcel 04.025.0500, which was cancelled on November 18, 2020 due to nonpayment of installment amounts due and property taxes; and WHEREAS, Minnesota Statutes §282.341 and the Minnesota Department of Revenue’s Delinquent Tax and Forfeiture Manual state the former contractor holder’s request for reinstatement of a contract for deed is subject to county board approval if the former contractor holder had paid less than 50% of the purchase price; and WHEREAS, Sheila and David Miller, as contract holders, paid less than 50% of the original purchase price on the contract for deed entered into on October 4, 2019; and WHEREAS, Isanti County desires to return the parcel to private ownership and the tax rolls on a long-term basis; and WHEREAS, Isanti County finds the reinstatement of the contract for deed does not serve the public interest; NOW THEREFORE BE IT RESOLVED, the Isanti County Board of Commissioners hereby denies the request for reinstatement of the contract for deed for parcel 04.025.0500. Adopted by the Isanti County Board of Commissioners this 18th day of August, 2021. Motion carried. Absent: Morris.

21/08-25 Motion by Warring, seconded by Anderson, to approve the contract amendment to the Respite Grant contract between the Department of Human Services and Isanti County Health and Human Services. Motion carried. Absent: Morris.

00o The Board was advised that the number of Income Maintenance cases as shown by the MAXIS system as of July 31, 2021, was 2,226.

21/08-26 On motion by Terry Turnquist and seconded by Mike Warring: 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:

Braham Area School District 314	\$12,500.00	Kanabec Co. Family Services	\$47,596.80
Canvas Health	\$44,221.29	MSOP-MN Sex Offender Prog	\$6,484.50
Dept of Human Services	\$42,006.52	Northern Business Products	\$6,241.05
Gerard Academy	\$7,505.36	Resource Training & Solutions	\$13,200.16
Independent School District 911	\$12,500.00	Rise Incorporated	\$35,635.00
Isanti County Attorney	\$23,690.50	Therapeutic Services Agency	\$6,795.83
Isanti County Auditor-Treasurer	\$60,798.41	Woodland Hills-Res Treatment Corr.	\$5,375.23

Isanti County Family Services	\$7,415.08	Auditors	\$178,606.36
Isanti County Public Health	\$1,856.74	Total Family Services Vouchers	\$512,428.83

Motion carried. Absent: Morris.

PLANNING COMMISSION ACTIONS

21/08-27 Motion by Oslund, seconded by Anderson, to approve the request of Keith & Linda Malmquist, 571 Eagle Ridge Road, Woodbury, MN 55125 to present a preliminary plat of Lela Acres. Legal description is the SW ¼ of the NW ¼ Fct except S 440' of Section 5, Township 35, Range 22, North Branch Township with the following condition: 1. The driveway access must be located off Jodrell Street. Motion carried. Absent: Morris.

21/08-28 Motion by Warring, seconded by Oslund, to approve the request of Nathan House, 8484 County Road 5 NW, Princeton, MN 55371 to present a preliminary plat of House's Ranch. Legal description is the NW ¼ of the SW ¼ fct. & Pt. of the W 75' of the North 695' of the NE ¼ of the SW ¼ of Section 8, Township 35, Range 25, Spencer Brook Township with the following conditions: 1. A septic system upgrade agreement must be signed and received by the Isanti County Zoning Office. 2. Outlot A be labeled on the plat. Motion carried. Absent: Morris.

21/08-29 Motion by Oslund, seconded by Anderson, to approve the request of William Cin, 3734 317th Avenue NE, Cambridge, MN 55008 to present a preliminary plat of Bill's Addition. Legal description is the E ½ of the NE ¼ of the NW ¼ of Section 11, Township 35, Range 23, Isanti Township with the following condition: 1. A septic system upgrade agreement must be signed and received by the Isanti County Zoning Office. Motion carried. Absent: Morris.

21/08-30 Motion by Anderson, seconded by Warring, to approve the request of Isanti County Ag Society, 3101 Highway 95 NE, Cambridge, MN 55008 to rezone a portion of the property (one acre) from Agriculture/Residential District to Business District. Legal description is Pt. of the SW ¼ of the SE ¼ of Section 27, Township 36, Range 23, Cambridge Township. Motion carried. Absent: Morris.

21/08-31 Motion by Turnquist, seconded by Oslund, to schedule a Public Hearing on September 15, 2021, at 9:30 a.m. in the County Board Room of the Isanti County Government Center to consider rezoning a portion of the property from Agriculture/Residential District to Business District for the property described as Pt. of the SW ¼ of the SE ¼ of Section 27, Township 36, Range 23, Cambridge Township, Isanti County Ag Society. Motion carried. Absent: Morris.

21/08-32 Motion by Warring, seconded by Anderson, to approve the request of James Bird and Matthew Winters, 36337 Polk Street NE, Stanchfield, MN 55080, for a conditional use permit for a farm winery business. Legal description is Pt of the N ½ of the NW ¼ of Section 8, Township 36, Range 23, Cambridge Township with the following conditions: 1. The venue will be open to the public April, May, June, October, November and December. The hours of operation will be Saturdays 10:00 a.m. to 7:00 p.m. Sunday's 11:00 a.m. to 6:00 p.m. 2. A maximum of 46 people in the tasting room. 3. A maximum of 6 employees. 4. Up to five special events per year with a maximum of 75 people onsite. Maximum of 38 cars onsite at one time. 5. Special events to include; workshops on how to make mead, barrel tastings, releases of new flavors and private company tastings. 6. The hours for the special events will be 11:00 a.m. to 8:00 p.m. Friday through Sunday. 7. Subsurface Sewage Treatment Systems (SSTS) shall be designed in compliance with Section 14, Subdivision 3 of this Ordinance and sized to accommodate employees, tasting room and commercial sewage flows. Portable toilets will be permitted during special events. 8. The well must meet the Minnesota Department of Health requirements. 9. One non – lit 35 square foot sign on the premises. 10. No amplified outdoor music. 11. All solid waste must be stored in

a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions kept in an enclosed building or properly contained in a closed container and must be removed at least once every seven days by a licensed Solid Waste Hauler. Burning of solid waste is strictly prohibited. The owner of vacant land shall be responsible for keeping such land free of refuse. 12. Must obtain and maintain 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. 13. A handicap bathroom must be provided and must meet all accessibility requirements per State and Federal law. 14. Must comply with State Building Code requirements. 15. Must maintain all drainage on their own property. 16. The farm winery, sales facilities, and retail operations must be operated by the owner of the parcel on which they are located. 17. 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. No on-street parking will be allowed. 18. Noise, fumes, dust, odors, vibration, or light generated as a result of the 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. 19. The grounds and all structures shall be maintained in a clean and safe manner. 20. Farm wineries are allowed to sell glassware, literature and accessories, prepackaged food items properly labeled in accordance with all applicable state regulations, and other win, beer, or spirit related food items. Sales of non-wine, beer and spirits merchandise shall be subordinate to the wine, beer, and spirit sales. 21. Wine/Mead tasting will be held during business hours. 22. The owner/operator 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 conditional use permit. 23. 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 size on which such is located. Detailed plans for the prevention 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 Regulations. 24. Any lights used for exterior illumination shall direct light away from adjoining properties and roadways. 25. The screening plan shall be approved by the Isanti County Zoning Staff. 26. 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. 27. The hours of operation for production will be Monday through Sunday 8:00 a.m. to 9:00 p.m. year round and all indoors. 28. Must meet all required building/structure setbacks. Findings: 1. This business has been operating since 1993 with no complaints 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. There has been no documented issues or complaints in the past 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. The septic system will be addressed through the state and local regulations so that adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. 4. The property will have one non lighted 35 square foot sign so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Motion carried. Absent: Morris.

21/08-33 Motion by Warring, seconded by Oslund, to approve the request of Ty Torgerson, 3382 Highway 95 NW, Cambridge, MN 55008, for a conditional use permit for a rural tourism business for an annual mega truck event. Legal description is the W ½ of the NE ¼ of the NE ¼ of Section 29, Township 36, Range 24, Springvale Township with the following conditions: 1. This will be for a one day event held on the last Saturday in September 2021. 2. Event activity includes a mega truck race. 3. The hours of

operation will be 9:00 a.m. to 6:00 p.m.; race activity hours from 12:00 p.m. to 5:00 p.m. 4. Maximum occupancy of 300 people on site at any given time. 5. No alcohol to be served. 6. All lighting must be retained on site with full cut off fixtures and no glare lighting with zero foot-candles at the property line. 7. Camping prohibited including overnight. 8. Signage according to the Isanti County Zoning Ordinance identifying the driveway. 9. Adequate parking for employees, volunteers, spectators and customers shall be provided onsite and meet the standards of Section 14, Subdivision 2 of the Isanti County Zoning Ordinance. Parking area must be 30' from the property lines and from the right of way of all roads. No on-street parking will be allowed. 10. No amplified music. 11. Outdoor garbage cans must be covered to control the debris. 12. Must comply with all Federal, State and Local regulations, licenses and codes. 13. Owner must be present on site during the event. 14. No paper lanterns and must follow state statutes if fireworks are used on site. 15. Must maintain the natural screening of trees on the property. Findings: 1. This event meets the 500' required setbacks to neighboring residences and there is no evidence this has impacted the surrounding properties 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 is a one time, one day event annually 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. A parking plan is provided, a race track area has been identified and they will be providing onsite portable satellites so that adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. 4. There is a sufficient parking area onsite so that adequate measures have been or will be taken to provide sufficient off street parking and loading space to serve the proposed use. 5. This is a one time, one day annual event with a mitigation plan which includes Isanti County Safety and Rescue with volunteers to help control traffic, berms have been constructed to protect the neighboring properties for noise, the track is not seen by neighboring properties, the track is in a valley that will control the erosion, a parking plan has been provided, the track meets the required setbacks, they have limited racing hours and there are tree lines in multiple directions so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Aye: Warring and Oslund. Nay: Anderson and Turnquist. Motion failed.

21/08-34 Motion by Turnquist, seconded by Anderson, to discuss the request of Ty Torgerson, 3382 Highway 95 NW, Cambridge, MN 55008, for a conditional use permit for a rural tourism business for an annual mega truck event at the September 1, 2021, board meeting. Motion carried. Absent: Morris.

21/08-35 Motion by Turnquist, seconded by Warring, to approve the request of Mark Bayer, 3095 County Road 6 NW, Cambridge, MN 55008, for a conditional use permit for a rural tourism business to grow, process and sell products made from peppers, pumpkins, and sunflowers with special events. Legal description is Pt of the SW ¼ of the NW ¼ of Section 4, Township 36, Range 24, Springvale Township with the following conditions: 1. Hours of operation will be Tuesday – Sunday 9:00 a.m. to 6:00 p.m. 2. Owner or representative must be present and on site during all events. 3. Maximum occupancy of 299 people on site per event including employees. 4. If alcohol served, a licensed off duty police officer must be on site and liquor vendors must be licensed. 5. All lighting must be retained on site with full cut-off fixtures and no glare lighting with zero foot-candles at the property line. 6. Camping prohibited including overnight. 7. Signage according to the Isanti County Zoning Ordinance. 8. No amplified music. 9. Must comply with all Federal, State and Local Regulations/Licenses/Codes. 10. Outdoor garbage cans must be covered to control the debris. 11. No paper lanterns and must follow state statutes if fireworks are used on site. 12. Must maintain natural screening of trees on the property. 13. No off-street parking allowed. 14. Maximum of twenty-two special events per year with hours of operation to be Tuesday through Sunday 9:00 a.m. to 6:00 p.m. 15. Adequate drainage must be provided on the property. Findings: 1. The surrounding properties are open farm fields so that 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. The surrounding area is being utilized for agriculture practices and they are not changing the appearance of the property so that 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 maintain their own drainage on the property and these events will not impact the road so that adequate utilities, access roads, drainage and other necessary facilities have been or are being utilized. 4. They have a parking plan so that adequate measures have been or will be taken to provide sufficient off street parking and loading space to serve the proposed use. 5. There will be one 35 square foot sign so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Motion carried. Absent: Morris.

21/08-36 Motion by Warring, seconded by Oslund, to deny the request of Bucks L.M.E.N. Properties, LLC, 1500 278th Lane NE, Isanti, MN 55040 to rezone the portion of property zoned Agriculture/Residential District to Industry District. Legal description is the SE ¼ of the SE ¼ of Section 32, Township 35, Range 23, Isanti Township with the following findings: 1. The land that is being requested to be re-zoned to Industry is within close proximity of wetlands. The range of permitted activities in the Industry District could create the potential for pollution or other impacts on those wetlands. 2. The applicant operates a business on the adjacent property, and in the past that business has frequently fallen out of compliance with the restrictions in its conditional use permit. That raises a concern for the County Board about whether additional activities in another Industry lot would present compliance issues as well. 3. Based on its assessment of the specific conditions, development patterns, and local land use needs in the area addressed in this request, the County Board finds that adding additional Industry District in this particular location is not consistent with the needs of this area of the County, and is not consistent with the County Board's land use goals for this area of the County. 4. The County Board finds that the applicant has not demonstrated that it is a public necessity that this property be re-zoned, or that the re-zoning of the property would serve the general welfare. Motion carried. Absent: Morris.

21/08-37 Motion by Oslund, seconded by Anderson, to adjourn (11:04 a.m.). Motion carried. Absent: Morris.

Julia Lines, County Administrator

Terry Turnquist, County Board Vice Chairperson

By: Halee Turner, Administrative Assistant II