

# ANOKA COUNTY BOARD MEETING

## MINUTES

Government Center  
Anoka, Minnesota

October 10, 2023

Chair Look called the meeting to order at 9:30 a.m. and called for participation in reciting the Pledge of Allegiance.

Present:	District #1	Matt Look
	District #2	Julie Braastad
	District #3	Jeff Reinert
	District #4	Scott Schulte
	District #5	Mike Gamache
	District #6	Julie Jeppson
	District #7	Mandy Meisner

Others Present: Rhonda Sivarajah, County Administrator; Brad Johnson, County Attorney; staff, and citizens

\* \* \* \* \*

Commissioner Braastad made motion granting reductions of valuation and/or abatements of taxes, special assessments, costs, penalties and/or interest as requested and approved by the county assessor, county auditor and/or county treasurer. (A full text of persons receiving tax abatements is on file and available for public inspection in the County Administration Office.) Commissioner Schulte seconded the motion. Upon roll call vote, motion carried unanimously.

\* \* \* \* \*

Commissioner Gamache made motion accepting the regular claims paid over \$500 for the period ending September 22, 2023, and purchase-card claims paid for the period ending September 22, 2023. (Claims are on file in the County Administration Office.) Commissioner Jeppson seconded the motion. Upon roll call vote, motion carried unanimously.

\* \* \* \* \*

Commissioner Schulte made motion approving the minutes from the September 26, 2023, Anoka County board meeting. Commissioner Jeppson seconded the motion. Motion carried unanimously.

\* \* \* \* \*

The following employees were recognized for their years of service, but unable to attend the meeting:

Wendy Dochterman	30 years
Daniel Alleman	30 years
Michael Barnard	30 years
Craig Christenson	30 years
Dana Anderson	30 years
Carol Erickson	30 years
Pamela Huetson-Wright	35 years
Priscilla McDowell	35 years

The following employees were recognized for their years of service to Anoka County:

Sheree Bumgarner	30 years
Kari Morrissey	30 years
Kerry Volkens	30 years
Peggy Sasik	30 years
Carrie Sorenson	30 years
Dan Peterson	30 years
Cathie Larson	30 years
Glenna Anderson	30 years

Damon Raze	30 years
Heidi Meyer	35 years
Jodi Gorman	35 years
Ann Peterson	35 years
Jeff McDonald	35 years
Dylan Warkentin	35 years

\* \* \* \* \*

Commissioner Reinert presented information relating to domestic violence and Commissioner Meisner shared a statement from Alexandra House.

\* \*

Commissioner Reinert offered the following resolution and moved its adoption:

**RESOLUTION #2023-110**

**RESOLUTION PROCLAIMING OCTOBER 2023 AS  
DOMESTIC VIOLENCE AWARENESS MONTH**

WHEREAS, the community problem of domestic violence has become a critical public health and welfare concern in Anoka County; and,

WHEREAS, domestic violence is a crime, the commission of which will not be tolerated in Anoka County and perpetrators of said crime are subject to prosecution and conviction in accordance with the law; and,

WHEREAS, thousands of women, men, and children have and will continue to access assistance from Alexandra House, Inc., and The Dwelling Place, domestic violence service providers; and,

WHEREAS, domestic violence will be eliminated through community partnerships of concerned individuals and organizations working together to prevent abuse while at the same time effecting social and legal change; and,

WHEREAS, October is National Domestic Violence Awareness Month; and,

WHEREAS, during National Domestic Violence Awareness Month, Anoka County organizations will inform area residents about domestic violence, its prevalence, consequences, and what we, as a concerned community, can do to eliminate its existence:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby proclaim October 2023 to be Domestic Violence Awareness Month in Anoka County.

Motion carried unanimously. Resolution declared adopted.

\* \* \* \* \*

Commissioner Braastad presented the Transportation Committee Report from the meeting of September 27, 2023.

1. Commissioner Reinert offered the following resolution and moved its adoption:

**RESOLUTION #2023-111**

**REVISING REGULATED PARKING ON  
CSAH 23 (LAKE DRIVE) FROM  
AQUA LANE TO CSAH 14 (MAIN STREET) IN LINO LAKES**

WHEREAS, the Anoka County Board of Commissioners is responsible for the planning, construction, and maintenance of the county highway system; and,

WHEREAS, the recognition of the need to regulate parking on segments of the county highway system, in response to changes in traffic patterns, adjoining development, vehicle safety and reconstruction of highways, is a responsibility of the Anoka County Board of Commissioners; and,

WHEREAS, Anoka County highway users and residents and the City of Lino Lakes have requested the regulated parking on CSAH 23 (Lake Drive) from Aqua Lane to CSAH 14 (Main Street) be restricted to ensure public safety:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, hereby prohibits parking along both sides of CSAH 23 (Lake Drive) from Aqua Lane to CSAH 14 (Main Street).

BE IT FINALLY RESOLVED that the county engineer is authorized to install signs as deemed necessary for the proper enforcement, and that a certified copy of this resolution be forwarded to the City of Lino Lakes.

Motion carried unanimously. Resolution declared adopted.

2. Commissioners Braastad and Jeppson offered the following resolution and moved its adoption:

**RESOLUTION #2023-112**

**AUTHORIZING SUBMITTAL OF A  
MNDOT FUNDING APPLICATION FOR THE  
TH 65 / CSAH 116 (BUNKER LAKE BOULEVARD)  
INTERCHANGE IMPROVEMENT PROJECT**

WHEREAS, the existing at-grade intersection of TH 65, a Principal Arterial, and CSAH 116 (Bunker Lake Boulevard NE), an “A” Minor Arterial Expander, experience a high level of traffic congestion, safety concerns, and mobility issues; and,

WHEREAS, Anoka County and the City of Ham Lake propose to construct a grade-separated interchange at TH 65 and Bunker Lake Boulevard NE; and,

WHEREAS, this improvement project is consistent with the goals and objectives of the TH 65 Planning and Environmental Linkages (PEL) Study completed in 2021 through a partnership with the Minnesota Department of Transportation (MnDOT), Federal Highway Administration (FHWA), Anoka County, City of Blaine, City of Ham Lake, City of Spring Lake Park, and Metropolitan Council; and,

WHEREAS, Anoka County is proposing to submit an application through the Minnesota Highway Freight Program (MHFP) funding solicitation to construct an interchange serving TH 65 at Bunker Lake Boulevard NE, in the city of Ham Lake; and,

WHEREAS, Anoka County has the necessary capabilities to adequately fund its local cost share for this public improvement project:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, hereby authorizes the county engineer to submit an application through the Minnesota Highway Freight Program (MHFP) funding solicitation, to construct an interchange and associated improvements serving TH 65 at Bunker Lake Boulevard in the city of Ham Lake.

Motion carried unanimously. Resolution declared adopted.

3. Commissioner Gamache offered the following resolution and moved its adoption:

**RESOLUTION #2023-113**

**LOCAL BRIDGE REPLACEMENT PROGRAM GRANT AGREEMENT  
GRANT TERMS AND CONDITIONS  
SAP 002-622-036  
(CONTRACT #C0010280)**

WHEREAS, Anoka County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund related to Bridge No.02595; and,

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and,

WHEREAS, the amount of the grant has been determined to be \$1,947,476.98 by reason of the lowest responsible bid:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, Section 174.50, and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriated for the project, but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

(Contract is on file in the Highway Department.)

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

4. Commissioner Gamache offered the following resolution and moved its adoption:

**RESOLUTION #2023-114**

**AUTHORIZING ACQUISITION OF RIGHT-OF-WAY  
FOR ANOKA COUNTY HIGHWAY PROJECT CP 24-01-00**

WHEREAS, the Anoka County Highway Department proposes the overlay and reconditioning of certain County Roads and County State Aid Highways with safety improvements in the cities of Andover, Ramsey, and St. Francis, which project is numbered CP 24-01-00 (the "Project"); and,

WHEREAS, the Anoka County Board of Commissioners previously adopted Resolution #2023-89, dated August 8, 2023, which authorized the county engineer to proceed to acquire the Right-of-Way deemed necessary for the Project in accordance with Minnesota Statutes; and,

WHEREAS, in addition to the existing easements, certain lands and property interests, including temporary construction easements ("Right-of-Way"), are required to construct the Project; and,

WHEREAS, the county engineer has determined additional Right-of-Way is necessary for the Project, more particularly described in Exhibit A, which is attached hereto and incorporated herein; and,

WHEREAS, the Anoka County Board of Commissioners was advised by Highway Department staff of the need to begin construction of the Project in the spring of 2024; and,

WHEREAS, to begin construction of the Project in spring of 2024, Anoka County will require title and possession of the Right-of-Way prior to the filing of an award by the court-appointed commissioners pursuant to Minnesota's Quick Take process, under the provisions of Minn. Stat. § 117.042:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, hereby authorizes the county engineer or his designees to proceed to acquire the additional Right-of-Way deemed necessary for the Project in accordance with Minnesota Statutes.

BE IT FURTHER RESOLVED that the Anoka County Board of Commissioners hereby authorizes the acquisition of Right-of-Way as described above, that cannot be successfully acquired through negotiation, by eminent domain to enable the county to take title and possession of such lands prior to the filing of an award by the court-appointed commissioners, pursuant to Minn. Stat. §§ 117.011, 117.042, and 163.02, subd. 2.

BE IT FURTHER RESOLVED that the Anoka 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 the court.

(Exhibit A is on file in the County Administration Office.)

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

5. Commissioner Jeppson made motion entering into Contract #C0009564, Joint Powers Agreement with the City of Blaine, for Project SAP 002-617-029, CP 23-11, improvements to the intersection of CSAH 17 (Lexington Avenue) and 131st Avenue NE, in the city of Blaine, subject to review by the

county attorney as to form and legality. Commissioner Reinert seconded the motion. (Contract is on file in the Highway Department.) Upon roll call vote, motion carried unanimously.

6. Commissioner Braastad made motion entering into Contract #C0010283, a four-party License Agreement with the St Francis Area School District (ISD #15), City of St Francis, and Anoka County Soil and Water Conservation District for the construction and maintenance of a swale stabilization project along the east side of CR 72 (Rum River Boulevard), subject to review by the county attorney as to form and legality. Commissioner Jeppson seconded the motion. (Contract is on file in the Highway Department.) Upon roll call vote, motion carried unanimously.
7. Commissioner Look made motion awarding Contract #C0010273 in the amount of \$99,862,562.80 to Ames Construction, for Project SP 0202-116 (SP 002-596-026), construction of grade-separated interchanges and associated railroad crossings at CSAH 56 (Ramsey Boulevard) and CSAH 57 (Sunfish Lake Boulevard) at US Highway 10/169, along with frontage road, backage roads, and other associated corridor improvements along US Highway 10/169, in the cities of Ramsey and Anoka, subject to review by the county attorney as to form and legality. Commissioner Schulte seconded the motion. (Contract is on file in the Highway Department.) Upon roll call vote, motion carried unanimously.
8. Commissioner Braastad made motion awarding Contract #C0010274 in the amount of \$5,501,680.78, to Redstone Construction, LLC, for Project SAP 002-622-036, the replacement of Bridge #02519 on CSAH 22 (Viking Boulevard) over the Rum River, in the city of Oak Grove, subject to review by the county attorney as to form and legality. Commissioner Gamache seconded the motion. (Contract is on file in the Highway Department.) Upon roll call vote, motion carried unanimously.

\* \* \* \* \*

Commissioner Reinert presented the Intergovernmental and Community Relations Committee report from the meeting of September 27, 2023.

1. Commissioner Reinert offered the following resolution and moved its adoption:

**RESOLUTION #2023-115**

**RESOLUTION APPROVING SPECIAL LAW AUTHORIZING THE  
COUNTY OF ANOKA TO LEVY PROPERTY TAXES AND INCUR DEBT  
FOR PUBLIC SAFETY IMPROVEMENTS AND EQUIPMENT**

WHEREAS, pursuant to 2023 Session Law Chapter 64, Article 3, Section 30 (HF1938), signed into law by Governor Tim Walz on May 24, 2023, the Minnesota State Legislature extended the expiration date and made other amendments to Minnesota Statute Section 383E.21, which grants authority for Anoka County to levy property taxes and incur debt for the purpose of funding public safety improvements and equipment; and,

WHEREAS, the text of the enacted legislation reads as follows:

**383E.21 COUNTYWIDE PUBLIC SAFETY IMPROVEMENTS AND EQUIPMENT;  
BONDING AND TAX LEVIES.**

**Subdivision 1. Authority to levy property taxes and incur debt.**

(a) To finance the cost of designing, constructing, and acquiring countywide public safety improvements and equipment, including personal property, benefiting both Anoka County and the municipalities located within Anoka County, the governing body of Anoka County may levy property taxes for public safety improvements and equipment, and issue:

(1) capital improvement bonds under the provisions of section 373.40 as if the infrastructure and equipment qualified as a "capital improvement" within the meaning of section 373.40, subdivision 1, paragraph (b); and

(2) capital notes under the provisions of section 373.01, subdivision 3, as if the equipment qualified as "capital equipment" within the meaning of section 373.01, subdivision 3. Personal property acquired with the proceeds of the bonds or capital notes issued under this section must have an expected useful life at least as long as the term of debt.

(b) The outstanding principal amount of the bonds and the capital notes issued under this section may not exceed \$8,000,000 at any time. Any bonds or notes issued pursuant to this section must only be issued after approval by a majority vote of the Anoka County Joint Law Enforcement Council, a joint powers board.

**Subd. 2. Treatment of levy.**

(a) Anoka County shall not include any taxes levied under this section in its levy certified under section 275.07, subdivision 1, paragraph (a). Anoka County shall separately certify taxes levied under this section to the county auditor.

(b) Notwithstanding sections 275.065, subdivision 3, and 276.04, the county may report the tax attributable to any levy to fund public safety capital improvements or equipment projects approved by the Anoka County Joint Law Enforcement Council or pay principal and interest on bonds or notes issued under this section as a separate line item on the proposed property tax notice and the property tax statement.

**Subd. 3. Expiration.**

This section expires on December 31, 2033. The county may not issue a bond or note under this section with a maturity or payment date after the expiration date of this section. No property tax may be levied under this section for taxes payable in a calendar year after the calendar year in which this section expires. Expiration of this section does not affect the obligation to pay or the authority to collect taxes levied under this section before its expiration.

**EFFECTIVE DATE.**

This section is effective the day after the governing body of Anoka County and its chief clerical officer comply with the requirements of Minnesota Statutes, section 645.021, subdivisions 2 and 3; and,

WHEREAS, the new legislation is a special law as defined in the Minnesota Constitution, article XII, section 2, and therefore requires approval by resolution adopted by a majority vote of the Anoka County Board of Commissioners:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, in accordance with Minn. Stat. § 645.021 subd. 2, does hereby approve of Minn. Stat. § 383E.21 as described above by adoption of this resolution.

BE IT FURTHER RESOLVED that Anoka County, by and through its Board of Commissioners, authorizes its appropriate clerical staff to comply with the requirements of Minn. Stat. § 383E.021 subd. 3 by completing all appropriate filings with the Minnesota Secretary of State.

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

\* \* \* \* \*

Commissioner Gamache presented the Parks Committee report from the meeting of October 3, 2023. All items were of an informational nature and required no board action.

\* \* \* \* \*

A public hearing to obtain comments concerning the proposed Anoka County Ordinance Prohibiting Public Use of Cannabis on County-Owned Properties was held during the August 22, 2023, county board meeting. No comments were received.

\* \*

Consideration of #2023-1, Prohibition On Use of Cannabis On County-Owned Properties was postponed from the August 22, 2023, county board meeting to the October 10, 2023, county board meeting. The ordinance is considered today with 3 options for statement of purpose.

\* \*

Commissioner Jeppson made motion approving the following ordinance with Option #2 alternative language for statement of purpose.

**ORDINANCE #2023-1**

**COUNTY OF ANOKA**  
**Anoka County, Minnesota**

**PROHIBITION ON USE OF CANNABIS ON**  
**COUNTY-OWNED PROPERTIES**

**1. PURPOSE AND AUTHORITY.**

- 1.1. **Purpose.** This ordinance is enacted to establish a prohibition on the public use of cannabis on properties owned, leased, or controlled by Anoka County following passage of cannabis laws during the 2023 legislative session. Section 152.0263, subd. 5, permits local units of government to adopt ordinances to establish a petty misdemeanor offense for use of cannabis in public places.

Anoka County is committed to its mission to protect and enhance the health of its citizens, employees, and visitors by providing a safe and clean environment.

- 1.2. **Authority.** This ordinance is adopted pursuant to Minn. Stat. § 375.51 and Minn. Stat. § 152.0263, subd. 5.
2. **PROHIBITED ACTIVITY.** No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in any public place on county-owned property.
3. **PENALTY.** Notwithstanding any other penalty provision of any Anoka County ordinance, a violation of this ordinance is a petty misdemeanor subject to a payable fine of up to \$300.
4. **DEFINITIONS.** In addition to the definitions expressly provided in this section, the definitions in Minn. Stat. § 342.01 apply to this ordinance.
  - 4.1. **Anoka County.** “Anoka County” includes the County of Anoka, Minnesota, together with all of its subdivisions and departments, and the Anoka County Housing and Redevelopment Authority.
  - 4.2. **County-owned property.** “County-owned property” means real property owned, leased, or controlled, whether through a lease, rental agreement, license agreement, or any other such agreement or instrument, by Anoka County.
  - 4.3. **Cannabis Flower.** “Cannabis flower” has the meaning given in Minn. Stat. § 342.01, subd. 16.
  - 4.4. **Cannabis product.** “Cannabis product” has the meaning given in Minn. Stat. § 342.01, subd. 20.
  - 4.5. **Hemp-derived consumer product.** “Hemp-derived consumer product” has the meaning given in Minn. Stat. § 342.01, subd. 37.
  - 4.6. **Lower-potency hemp edible.** “Lower-potency hemp edible” has the meaning given in Minn. Stat. § 342.01, subd. 50.
  - 4.7. **Place of employment.** “Place of employment” has the meaning giving in Minn. Stat. § 144.413, subd. 1b.
  - 4.8. **Public place.** “Public place” means any indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, any area owned by a public entity, or any area which is used as a place of employment.

“Public place” includes property not generally accessible by the public if the property owner has explicitly prohibited consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property.

“Public place” does not include (1) a private residence, including the person’s curtilage or yard, or (2) the premises of an establishment or event licensed to permit on-site consumption.
  - 4.9. **Use.** “Use” means to ingest, inhale, or otherwise consume or introduce a substance into the human body in any manner, to leave, discard, or abandon a substance, or to smoke, vaporize, or aerosolize a substance through burning, heating, spraying, or any other method whatsoever.
5. **CAPTIONS AND HEADINGS:** The captions and headings used in this ordinance are for convenience of reference only and do not define or limit the contents of any provision.
6. **SEVERABILITY.** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the **provisions of this act are severable.**

7. **EFFECTIVE DATE.** This ordinance is effective from and after its passage by the Anoka County Board of Commissioners and publication in accordance with state law.

Commissioner Gamache seconded the motion. Commissioners Reinert, Schulte, Gamache, Jeppson, and Meisner voted “yes.” Commissioners Braastad and Look voted “no.” Motion carried.

\* \* \* \* \*

The following item came forward on an additional agenda, as recommended by the Management Committee.

Commissioner Braastad offered the following resolution and moved its adoption:

**RESOLUTION #2023-116**

**A RESOLUTION APPROVING THE REVISIONS TO THE  
2022-2024 COLLECTIVE BARGAINING AGREEMENT BETWEEN  
THE COUNTY OF ANOKA AND THE  
INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 49,  
REPRESENTING THE HIGHWAY \ PARKS MAINTENANCE UNIT  
(CONTRACT #C0009098)**

WHEREAS, representatives of Anoka County and representatives of the International Union of Operating Engineers, Local 49, representing the Highway\Parks Maintenance unit of Anoka County, met and discussed a desire to reopen and revise the existing collective bargaining agreement that was in place for the term January 1, 2022, through December 31, 2024; and,

WHEREAS, the attached document (Exhibit A) summarizes the substantive agreement between the parties on the tentative agreement:

NOW, THEREFORE, BE IT RESOLVED that Anoka County, by and through its Board of Commissioners, does hereby approve the tentative agreement and that the chief negotiator for the Anoka County Board of Commissioners is authorized and directed to prepare contract documents incorporating this tentative agreement; and further, that upon receipt of the three original contracts executed by the Union, the Anoka County Board Chair, County Administrator, Chief Human Resources Officer, labor negotiator and other appropriate individuals be authorized and directed to execute the original contracts and documents.

(Contract is on file in the Human Resources Department.)

(Exhibit A is on file in the County Administration Office.)

Upon roll call vote, motion carried unanimously. Resolution declared adopted.

\* \* \* \* \*

The county board meeting was adjourned at 11:02 a.m.

ATTEST:

**COUNTY BOARD OF COMMISSIONERS  
ANOKA COUNTY, MINNESOTA**

By: \_\_\_\_\_  
Rhonda Sivarajah  
County Administrator

By: \_\_\_\_\_  
Matt Look, its Chair

*Motion carried means all commissioners in attendance voted affirmatively unless otherwise noted.*