

AITKIN COUNTY BOARD

February 12, 2013

The Aitkin County Board of Commissioners met this 12th day of February, 2013 at 9:01 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Patrick Wussow, and Administrative Assistant Sue Bingham.

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve the February 12, 2013 agenda.

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: January 22, 2013 – February 11, 2013; B) Approve County Board Minutes: January 22, 2013; C) Approve Public Auction of Forfeited Guns – Sheriff's Dept.; D) Approve Resolution – Recorder's Office Transfer of Funds; E) Approve Resolution – Exempt Permit LG220 of the Ruffed Grouse Society; F) Approve Recycling Agreement Extensions; G) Approve Household Hazardous Waste Agreement; H) Approve January Manual Warrants: General Fund \$53,617.52, Road & Bridge \$74,615.53, Health & Human Services \$419.19, State \$183,749.73, Forest Development \$15.50, Taxes & Penalties \$86.20, Long Lake Conservation Center \$551.26, Parks \$75,170.72 for a total of \$388,225.65; I) Approve Commissioner Warrants: General Fund \$281,359.68, Road & Bridge \$34,328.33, Special Revenue \$192.85, Health & Human Services \$105.60, State \$721.60, Trust \$22,130.09, Forest Development \$26,449.24, Agency \$3,751.20, Long Lake Conservation Center \$6,647.06, Parks \$1,887.77 for a total of \$377,573.42; J) Approve Reappointment of Roberta Elvecrog to the Snake River Watershed Citizens Advisory Committee; K) Approve Purchase of Application Extender Software Licenses – Planning & Zoning Dept.; L) Approve Resolution – S.A.P. 001-604-010 Local Bridge Replacement Program Grant Agreement; M) Approve Attendance at National Association of County Engineers (NACE) Conference – John Welle; N) Approve Resolution – Support for McGregor Safe Routes to School Infrastructure Project; O) Approve Resolution – Final Contract Payment S.P. 001-591-002; P) Approve Resolution – Final Contract Payment S.P. 001-599-033; Q) Approve Resolution – Final Contract Payment S.P. 001-603-011; a) Approve Commissioner Warrants: General Fund \$157,439.70, Road & Bridge \$62,917.35, Health & Human Services \$971.50, Trust \$3,906.03, Forest Development \$9,604.25, Long Lake Conservation Center \$12,947.64, Parks \$2,719.52 for a total of \$250,505.99; b) Approve Resolution – Form LG214 Minnewawa Sportsmen's Club; c) Approve Resolution – On-Sale Wine – Red Door Resort; d) Approve Resolution – Form LG214 McGregor Lions Club; e) Approve 3.2 Malt Liquor License – Red Door Resort

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Recorder's Office Transfer of Funds:

WHEREAS, the Aitkin County Board of Commissioners authorized and ordered the transfer of \$60,430.00 (\$10.00 for each document recorded in the County Recorder's office between January and December of 2012) from the General Revenue Fund to the County Recorder's Technology Fund, according to Minnesota Statute 357.18, Subd. 4; and

WHEREAS, the Aitkin County Board of Commissioners authorized and ordered the transfer of \$66,452.00 (\$11.00 for each document recorded in the County Recorder's office between January and December of 2012) from the General Revenue Fund to the Unallocated Fund according to Minnesota Statute 357.182, Subd. 7.

CALL TO ORDER

**APPROVED
AGENDA**

**CONSENT
AGENDA**

**RESOLUTION
021213-017
RECORDER'S
OFFICE
TRANSFER OF
FUNDS**

THEREFORE, BE IT RESOLVED, that the order of transfer of \$60,430.00 from the General Revenue Fund to the County Recorder’s Technology Fund and the order of transfer of \$66,452.00 from the General Revenue Fund to the Unallocated Fund is authorized by the Aitkin County Board of Commissioners.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Exempt Permit LG220 of the Ruffed Grouse Society:

BE IT RESOLVED, the Aitkin County Board of Commissioners agree to approve the Application for Exempt Permit – Form LG220 – of the Ruffed Grouse Society – Aitkin Chapter, at the following location – The Landing, which has an address of 170 Southgate Drive, Aitkin, MN 56431 – Aitkin Township. (Note: Dates of activity for Raffles – March 1, 2013 thru December 31, 2013)

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve requests for one-year extension options to the recycling agreements with Garrison Disposal and J&H Transfer. This extends the expiration date of the agreements to December 31, 2014.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve renewal of Household Hazardous Waste Agreement with Western Lake Superior Sanitary District. This agreement will expire December 31, 2017.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve Planning and Zoning Department purchase five licenses for Application Extender storage and retrieval software program at a cost of approximately \$5,000.00.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – S.A.P. 001-604-010 Local Bridge Replacement Program Grant Agreement:

WHEREAS, the County of Aitkin has applied to the Commissioner of Transportation for a Grant from the Minnesota State Transportation Fund for construction of S.A.P. 001-604-010, and

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

WHEREAS, a Grant Agreement has been proposed with the grant amount determined to be \$273,527.15.

NOW, THEREFORE BE IT RESOLVED, that Aitkin County agrees to pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any appropriated amount that is not needed.

NOW, THEREFORE BE IT RESOLVED, that the County of Aitkin does hereby agree to the

**RESOLUTION
021213-018
EXEMPT PERMIT
LG220 OF THE
RUFFED GROUSE
SOCIETY**

**RECYCLING
AGREEMENT
EXTENSIONS**

**HOUSEHOLD
HAZARDOUS
WASTE
AGREEMENT**

**APPLICATION
EXTENDER –
PLANNING &
ZONING**

**RESOLUTION
021213-019
S.A.P. 001-604-010
LOCAL BRIDGE
REPLACEMENT
PROGRAM
GRANT
AGREEMENT**

terms and conditions of the Grant Agreement and authorizes the Aitkin County Engineer to execute the Agreement and any amendments thereto.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve John Welle, County Engineer attend the National Association of County Engineers Conference in Des Moines, Iowa from April 21 through April 24, 2013 at an estimated cost of \$550 for the conference and \$536 plus taxes and fees for lodging.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Support for McGregor Safe Routes to School Infrastructure Project:

BE IT RESOLVED, that the County of Aitkin act as the sponsoring agency for a Safe Routes to school (SRTS) Project within the City of McGregor and acknowledges herewith that it is willing to be the project sponsor knowing full well that such sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules, and regulations.

BE IT FURTHER RESOLVED, that John Welle, Aitkin County Engineer is hereby authorized to act as agent on behalf of this applicant.

Agreement to Maintain Facility

WHEREAS, the Federal Highway Administration (FHWA) requires that states agree to design, construct, operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way acquired without prior approval from the FHWA; and

WHEREAS, transportation enhancement projects receive federal funding from the reauthorization of the Surface Transportation Program (STP) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) of 2005; and

WHEREAS, the Minnesota Department of Transportation (MNDOT) has determined that for projects implemented with SRTS funds, this requirement should be applied to the project sponsor, and

WHEREAS, the County of Aitkin is the project sponsor for the Safe Routes to School project within the City of McGregor.

THEREFORE BE IT RESOLVED, that the Project Sponsor hereby agrees to assume full responsibility for the design, construction, operation, and maintenance of property and facilities related to the aforementioned transportation enhancement project.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Final Contract Payment S.P. 001-591-002:

WHEREAS, Contract No. 20115– Project Nos. SP 01-591-02 – Aitkin Safe Routes to School has

OUT OF STATE TRAVEL – COUNTY ENGINEER

RESOLUTION 021213-020 SUPPORT FOR MCGREGOR SAFE ROUTES TO SCHOOL PROJECT

RESOLUTION

AITKIN COUNTY BOARD

February 12, 2013

in all been completed, and the County Board being fully advised in the premises,

NOW THEN BE IT RESOLVED, that we do hereby accept said completed projects for and in behalf of the County of Aitkin and authorize final payment to Roth Construction in the amount of \$1,887.29 as specified herein.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Final Contract Payment S.P. 001-599-033:

WHEREAS, Contract No. 20116– Project Nos. SAP 01-599-33 – Bridge Replacement and Approach Grading has in all been completed, and the County Board being fully advised in the premises.

NOW THEN BE IT RESOLVED, that we do hereby accept said completed projects for and in behalf of the County of Aitkin and authorize final payment to Landwehr Construction in the amount of \$11,874.96 as specified herein.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Final Contract Payment S.P. 001-603-011:

WHEREAS, Contract No. 20113– Project Nos. SAP 01-603-11 – Bridge Replacement over the Willow River has in all been completed, and the County Board being fully advised in the premises.

NOW THEN BE IT RESOLVED, that we do hereby accept said completed projects for and in behalf of the County of Aitkin and authorize final payment to Lunda Construction Company in the amount of \$64,276.22 as specified herein.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Form LG214 Minnewawa Sportsmen's Club:

BE IT RESOLVED, the Aitkin County Board of Commissioners agree to approve the following Premises Permit Application - Form LG214, of the Minnewawa Sportsmen's Club, at Big Sand Bar Resort – Shamrock Township. This establishment has an address of 51866 224th Place, McGregor, MN 55760.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – On-Sale Wine – Red Door Resort:

BE IT RESOLVED, The Aitkin County Board of Commissioners agrees to approve the following On-Sale Wine license for a period ending December 31, 2013:

Frederick R. & Deborah M Dally, dba **The Red Door Resort** – Wealthwood Township
This establishment has an address of 38421 State Highway 18, Aitkin, MN 56431

021213-021
FINAL CONTRACT
PAYMENT
S.P. 001-591-002

RESOLUTION
021213-022
FINAL CONTRACT
PAYMENT
S.P. 001-599-033

RESOLUTION
021213-023
FINAL CONTRACT
PAYMENT
S.P. 001-603-011

RESOLUTION
012913-014
FORM LG214
MINNEWAWA
SPORTSMEN'S
CLUB

RESOLUTION
012913-015
ON-SALE WINE
RED DOOR
RESORT

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Form LG214 McGregor Lions Club:

BE IT RESOLVED, the Aitkin County Board of Commissioners agree to approve the following Premises Permit Application - Form LG214, of the McGregor Lions Club, at Big Zandy Zorbaz – Shamrock Township. This establishment has an address of 48760 State Highway 65, McGregor, MN 55760

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve **3.2 Malt Liquor License** for a period **ending April 30, 2013**:

On Sale

Frederick R. & Deborah M. Dally, d/b/a The Red Door Resort – Wealthwood Township
This establishment has an address of 38421 State Highway 18, Aitkin, MN 56431

Sheriff Scott Turner provided an update to the Board on the status of the 800 Mhz radio project via telephone conference call.

Staff identified their legislative priorities to the Board.

Mike Dangers, County Assessor: Property Tax Working Group
Tom Burke, Health & Human Services Director: Technology
John Welle, County Engineer: Transportation Funding
Patrick Wussow, County Administrator for Mark Jacobs, Land Commissioner: PILT (Payment in Lieu of Taxes), and MAGIC Act.

After reviewing staff’s memo and hearing the presentations, the Board determined the following five legislative priorities for 2013:

1. State General Tax – elimination
2. PILT – maintain
3. State to adopt the MAGIC Act
4. Additional funding for HHS Technology – statewide
5. Transportation funding

The Board held a telephone conference with Representative Joe Radinovich and Senator Carrie Ruud. The Senator and Representative provided a legislative update. Following that the Commissioners reviewed their 2013 legislative priorities. Additionally they discussed DNR shoreland rules and alternatives for public notices.

The Board scheduled another telephone conference with Representative Joe Radinovich and Senator Ruud at the March 12th County Board meeting at 10:00 a.m.

**RESOLUTION
012913-016
FORM LG214
MCGREGOR
LIONS CLUB**

**3.2 MALT LIQUOR
LICENSE – RED
DOOR RESORT**

**800 MHZ RADIO
UPDATE**

**STAFF
PRESENTATIONS
LEGISLATIVE
PLATFORM
PROPOSALS**

**AITKIN COUNTY
LEGISLATIVE
PRIORITIES**

**RADINOVICH &
RUUD
CONFERENCE
CALL**

AITKIN COUNTY BOARD

February 12, 2013

Patrick Wussow, County Administrator discussed Aitkin County Day at the Capitol with the Board. The Board opted to meet with legislatures while at the AMC Spring Legislative Conference in March, rather than plan for an Aitkin County Day at the Capitol.

**AITKIN COUNTY
DAY AT THE
CAPITOL**

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve budgeted equipment purchase of a new John Deer 1420 Series II Commercial mower with a 62" mower deck, a heavy-duty rotary broom, and a soft cab for Courthouse Maintenance at a cost of \$24,000.00 from Northwood Equipment.

**EQUIPMENT
PURCHASE –
COURTHOUSE
MAINTENANCE**

Patrick Wussow, County Administrator updated the Board on the Business and Marketing Manager position at Long Lake Conservation Center.

**BUSINESS &
MARKETING
MANAGER - LLCC**

Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve budgeted iSeries computer purchase from CPS Technology Solutions. Total price with three year coverage, including CPS discount is \$27,000.00 plus tax.

**iSERIES
COMPUTER
PURCHASE**

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve purchase of 50,000 sandbags from Berg Bag Company in Minneapolis at a cost of \$7,350.00.

**SANDBAG
PURCHASE**

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve purchase of additional radios as follows: (4) XTL 1500 mobiles for Highway Department - \$8,530.48; (2) XTL 2500 mobiles for Jacobson Fire Department - \$6,371.90; (3) XTS 1500 portables (1 Jacobson FD and 2 Palisade FD) - \$4,032.00; (3) Impres chargers for portables - \$371.25 for a total cost of \$19,305.63. This purchase will be made using money reserved for the radio system.

**ADDITIONAL
RADIO
PURCHASE**

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting to schedule a Public Hearing for Amendments to the General Zoning Ordinance on Monday, March 18, 2013 at 4:00 p.m. before the Aitkin County Planning Commission, in the boardroom at the Aitkin County Courthouse.

**PUBLIC HEARING
SCHEDULED –
GENERAL
ZONING
ORDINANCE**

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting to schedule the 2013 County Board of Appeal and Equalization on Tuesday, June 18, 2013 at 4:00 p.m. in the boardroom at the Aitkin County Courthouse

**BAE MEETING
SCHEDULED**

Break: 12:05 to 12:51 p.m.

BREAK

The Board reported on the following:

Commissioner Brian Napstad

**BOARD
DISCUSSION**

- Noted he was present, but didn't have quorum for McGregor Airport

- Joint Powers Natural Resources Board – A guest speaker from the DNR gave a report on the wolf hunt and the moose hunt
- AMC together with MACPZA met to discuss reopening the DNR Shoreland rules
- Facilities Committee met and toured the Courthouse area looking at security issues
- Ordinance Committee – details were given earlier in the meeting by Terry Neff, Environmental Services Director
- Permit to Mine – Wetland restoration was a major topic of discussion
- NCLUCB met in Northome. Shoreland rules, permit to mine, and wetland replacements were discussed.

Commissioner Don Niemi

- Law Library - Some of the books have been disappearing from the Law Library. The lower brass railing is a safety concern.
- Lakes & Pines met on January 28th and went over the Annual Report.
- Lakes & Pines held a luncheon on February 1st.

Commissioner Anne Marcotte

- Economic Development – East Central Regional Broadband Summit will be meeting February 28, 2013 at Grand Casino Hinckley, also upcoming Flo Tour.

Commissioner Laurie Westerlund

- C.A.R.E. – Commissioner Westerlund handed out a flier

Commissioner J. Mark Wedel

- Aitkin Airport met February 7th
- Facilities Committee met January 22nd as reported earlier by Commissioner Napstad

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Royalty Fee Schedule for Pliny Township Gravel Pit:

WHEREAS, Aitkin County and the Minnesota Department of Natural Resources have entered into Lease Number 144-002-0951 for the removal of aggregate materials located on a 37-acre tract of land located in the southeast quarter of Section 3, township 44 north, range 23 west, and

WHEREAS, private contractors that want to remove aggregate material from the lease area for use on state highway projects are required to enter into an Aggregate Removal and Processing Agreement between themselves and Aitkin County, and

WHEREAS, such agreements will include increased royalty fees to the contractor to allow Aitkin County as the Lessee to recover pit start-up costs, pit maintenance costs, and administrative costs related to management of the aggregate removal operations.

**RESOLUTION
021213-024
ROYALTY FEE
SCHEDULE FOR
PLINY TOWNSHIP
GRAVEL PIT**

NOW, THEREFORE, BE IT RESOLVED, that the royalty fee per cubic yard included in all Aggregate Removal and Processing Agreements for this pit location shall 1.3 times the royalty fee per cubic yard owed by Aitkin County to the Department of Natural Resources.

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve resolution – Authorize Sale of Wetland Replacement Credits:

WHEREAS, Aitkin County is the owner of the north half of the southwest quarter, and the northwest quarter of the southeast quarter of Section 30, Township 48 North, Range 25 West, and

WHEREAS, this parcel contains 67.56 acres of approved wetland restoration credit that were developed for the purpose of mitigating county highway impacts, and

WHEREAS, due to statutory changes that require the Minnesota Board of Water and Soil Resources to replace county highway wetland impacts, these wetland replacement credits are no longer needed to replace wetland impacts for Aitkin county highway projects.

NOW, THEREFORE, BE IT RESOLVED, that the Aitkin County Highway Department is hereby authorized to enter into transactions for the sale of up to 50 acres of wetland credits for project specific wetland mitigation at the price of \$0.45 per square foot.

BE IT FURTHER RESOLVED, that proceeds from all sales shall be deposited into the Road and Bridge fund.

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Great River Road Right of Way Acquisition:

WHEREAS, Aitkin County plans to reconstruct County State Aid Highway No. 10, from the Junction of U.S. Highway No. 169 to the Junction of County State Aid Highway No. 3, and

WHEREAS, the Aitkin County Board of Commissioners has been apprised of the alignment of said reconstruction of County State- Aid No. 10 (S. P. 001-610-022).

NOW, THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners hereby authorize acquisition of right-of-way for permanent easements of State-Owned land for said reconstruction as it pertains to:

- Parcel No. 2 Part of SW ¼, NE ¼, Section 2, Township 48N, Range 26W
- Parcel No. 3 Part of NW ¼, NE ¼, Section 2, Township 48N, Range 26W
- Parcel No. 4 Part of NE ¼, NE ¼, Section 2, Township 48N, Range

Chairperson J. Mark Wedel closed the meeting under MN Statute 13D.05 Subd. 3(b) Attorney-Client privilege at 2:35 p.m.

**RESOLUTION
021213-025
AUTHORIZE SALE
OF WETLAND
REPLACEMENT
CREDITS**

**RESOLUTION
021213-026
GREAT RIVER
ROAD RIGHT OF
WAY
ACQUISITION**

**CLOSED
SESSION**

Chairperson J. Mark Wedel reopened the meeting at 3:26 p.m.

OPEN MEETING

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting to adjourn the meeting at 3:26 p.m. until Tuesday, February 26, 2013 at 9:00 a.m.

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator