

# AITKIN COUNTY BOARD

March 12, 2013

The Aitkin County Board of Commissioners met this 12<sup>th</sup> day of March, 2013 at 9:03 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 Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the March 12, 2013 amended agenda. Item 9C) Special Meeting April 30, 2013 at Long Lake Conservation Center, was added.

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: February 26, 2013 – March 11, 2013; B) Approve County Board Minutes: February 26, 2013; C) Approve Commissioner Warrants: General Fund \$300,239.51, Road & Bridge \$67,051.42, Special Revenue \$6,467.98, Health & Human Services \$105.60, Trust \$9,920.31, Forest Development \$3,611.44, Long Lake Conservation Center \$5,236.56, Parks \$2,384.30 for a total of \$395,017.12; D) Approve February Manual Warrants: General Fund \$23,787.82, Road & Bridge \$671,912.72, Health & Human Services \$2,428.39, State \$45,812.55, Trust \$174.33, Forest Development \$174.33, Agency \$94,987.00, Taxes & Penalties \$260.87, Long Lake Conservation Center \$2,710.16 for a total of \$842,248.17; E) Approve Auditor Warrants – Gas Tax Payments: Road & Bridge \$262,075.65; F) Accept Donations to STS - \$150 from Riceland Chapter of Minnesota Deer Hunters, and \$500 from Garrison Commercial Club; G) Approve Public Auction of Vehicles – Sheriff's Department; H) Approve Renewal of Consumption & Display (Set Up) Permit – Minnewawa Sportsmen's Club, Shamrock Township; I) Approve Fire Protection Contract with City of Palisade; J) Approve Fire Protection Contract with City of Hill City; K) Approve (2) Resolutions – Transfer and Apportionment of 2012 Forfeited Tax Funds

Under the consent agenda, motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve public auction of the following vehicles, seized under DWI forfeiture: 2000 Dodge Caravan, 1997 Ford F150, 2004 Chevrolet Cavalier, and 2008 Toyota FJ Cruiser.

Under the consent agenda, motion for a resolution by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Transfer and Apportionment of 2012 Forfeited Tax Funds M.S. 282.08:

**WHEREAS**, pursuant to Minnesota Statute 282.08, County boards are authorized to set aside monies from the tax forfeited sale fund for timber and park development.

**NOW, THEREFORE, BE IT RESOLVED**, that in compliance with said law, that thirty (30) percent of the remaining receipts are to be used for forest development and twenty (20) percent of these receipts remaining are to be used for the maintenance and development of County Parks or recreational areas, as defined in Minnesota Statute Section 398.31 to 398.36 to be expended under the supervision of the County Board.

Under the consent agenda, motion for a resolution by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Transfer and Apportionment of 2012 Forfeited Tax Funds M.S. 282.09:

**CALL TO ORDER**

**APPROVED  
AGENDA**

**CONSENT  
AGENDA**

**PUBLIC AUCTION  
OF VEHICLES –  
SHERIFF'S DEPT.**

**RESOLUTION  
031213-031  
TRANSFER AND  
APPORTIONMENT  
OF 2012  
FORFEITED TAX  
FUNDS M.S.  
282.08**

**WHEREAS**, according to M.S. 282.09, Subdivision 1, the County Board does hereby determine that the \$3.00 fee from each certificate of sale, contract for deed, and each lease executed by the Auditor and the compensation for clerical help on tax-forfeited land matters in the County Auditor's office during the 2012 calendar year was \$30,000.00, and

**WHEREAS**, the county revenue cost for office space and maintenance for the Aitkin County Land Dept in the Courthouse for the 2012 calendar year is \$20,000.00, and

**WHEREAS**, a gravel pit rehabilitation account has been established, and \$.15 per yard of gravel taken out of county pits will be placed in this account, the 2012 amount to be placed in this account is \$1,185.60.

**NOW THEREFORE, BE IT RESOLVED**, that the amount of \$30,000.00 be transferred from the Forfeited Tax Sales Account (10-923-6901) to the County Auditor account (01-040-5590) to cover the costs of this clerical hire, AND that the amount of \$20,000.00 be transferred from the Forfeited Tax Sales Account (10-923-6901) to the County General Revenue Account (01-110-5840) for office rent and maintenance, AND that the amount of \$1,185.60 shall be transferred from the Forfeited Tax Sales Account (10-923-6901) to the Gravel Pit Account (11-936-5840).

Representatives from MnDOT and Toward Zero Deaths discussed the proposed 2013-2017 Area Transportation Improvement Program and road safety with the Board.

The Board held a telephone conference with Senator Carrie Ruud and Representative Joe Radinovich. The Board voiced their concerns and received updates from the Senator and Representative on current legislative activities.

Break: 10:34 a.m. to 10:50 a.m.

Chairperson J. Mark Wedel closed the meeting at 10:50 a.m. under MN Statute 13D.05, subd. 3(b) Attorney-Client Privilege.

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting to reopen the meeting at 11:18 a.m.

John Welle, County Engineer discussed Transportation Funding Bill, H.F. 931 with the Board.

John Welle, County Engineer reviewed the Proposed 2013 Highway Construction/Maintenance Program with the Board. Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve.

Sheriff Scott Turner gave the Board a presentation of 800 Mhz radio coverage in Aitkin County, and noted the City of Aitkin needs additional coverage. The Board requested he return at a later date with options and quotes for correcting the problem.

**RESOLUTION  
031213-032  
TRANSFER AND  
APPORTIONMENT  
OF 2012  
FORFEITED TAX  
FUNDS M.S.  
282.09**

**MnDOT  
PRESENTATION**

**RUUD &  
RADINOVICH  
CONFERENCE  
CALL**

**BREAK**

**CLOSED  
SESSION**

**OPEN MEETING**

**LEGISLATIVE  
UPDATE –  
HIGHWAY DEPT.**

**PROPOSED  
2013 HIGHWAY  
CONSTRUCTION  
PROGRAM**

**800 MHZ RADIO  
UPDATE**

Sheriff Turner requested Board approval to purchase 15 additional portable radios for jail/STS/transport. Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to approve the purchase of (15) XTS 1500 portables for a total cost of \$20,160.00 and (1) Impres Charger 6-bank for \$591.00.

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve Hazard Mitigation Planning Grant Agreement. The grant amount is \$25,000.00. The local match of \$8,500.00 will be met by an "in-kind" contribution of time.

Break: 12:38 p.m. to 1:29 p.m.

Ross Wagner, Economic Development & Forest Industry Coordinator reviewed the Aitkin County Tourism and Promotion Fund Budget for 2013. Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting to approve.

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve Local 49 Road & Bridge 2013-2014 Collective Bargaining Agreement.

Patrick Wussow, County Administrator discussed legislative issues with the Board and proposed a resolution supporting reimbursement for sales tax paid for the ARMER 800 Mhz upgrades.

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Support for Refund of Sales Tax Related to ARMER 800 Mhz Purchases:

**WHEREAS**, the Aitkin County Board has authorized purchases of approximately \$2,000,000.00 to upgrade the County radio and dispatch equipment to be compatible with the 800 Mhz ARMER system, and

**WHEREAS**, when the seven county metro area made their upgrades they were exempt from paying sales tax, and

**WHEREAS**, if Aitkin County would have had the same benefit it would have saved more than \$100,000.00. Additionally the majority of greater MN counties would have had similar savings, had they been treated the same as the metro counties, and

**WHEREAS**, current legislation in the Senate (S.F. 472 and S.F. 63) supports refunding the sales tax for the mandated ARMER upgrades.

**THEREFORE BE IT RESOLVED**, that the Aitkin County Board of Commissioners supports S.F. 472 and S.F. 63 and future similar legislation in the MN House for a sales tax exemption for purchases made after June 30, 2005 for ARMER related equipment.

**PORTABLE  
RADIO  
PURCHASE**

**HAZARD  
MITIGATION  
PLANNING  
GRANT**

**BREAK**

**2013 PROMOTION  
& TOURISM  
BUDGET**

**LOCAL 49 ROAD  
& BRIDGE 2013-  
2014 COLLECTIVE  
BARGAINING  
AGREEMENT**

**LEGISLATIVE  
UPDATES**

**RESOLUTION  
031312-033  
SUPPORT FOR  
REFUND OF  
SALES TAX  
RELATED TO  
ARMER 800 MHZ  
PURCHASES**

# AITKIN COUNTY BOARD

March 12, 2013

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve holding a special meeting with Scott Rian, LLCC Marketing and Business Manager at Long Lake Conservation Center on April 30<sup>th</sup> from 9:00 a.m. to Noon.

**SPECIAL  
MEETING  
SCHEDULED**

The County Board discussed request to adopt a resolution in favor of repealing the Taconite Tax Relief Area Fiscal Disparities Act with Aitkin City Clerk Kathy Brophy, resident Dale Lueck, and business owners Tim Catlin, Steve Wilson, and Bob Cummings.

**FISCAL  
DISPARITIES**

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting to adopt resolution – Repeal MN Statute 276A:

**WHEREAS**, the Minnesota Legislature enacted MN Statute 276A in 1996 without public hearings in the affected Counties that calls for the sharing of local property taxes; and

**RESOLUTION  
031312-034  
REPEAL MN  
STATUTE 276A**

**WHEREAS**, the perceived intended purpose/benefits of the statute was that:

- a. Communities with low tax base must impose higher tax rates to deliver the same service as communities with higher tax bases. These high tax rates make poor communities less attractive places for businesses to locate or expand in, exacerbating the problem. Requiring part of the commercial industrial tax base to be shared can reduce this effort.
- b. Communities generally believe that commercial and industrial properties pay more taxes than it costs to provide services to them. This encourages communities to compete for these properties by providing tax concessions of special services. Tax base sharing can reduce the incentive for this competition.
- c. Tax base sharing spreads the fiscal benefit of business development attracted by regional facilities such as large shopping centers, airports, and freeway interchanges, or recreational facilities such as sports stadiums and arenas.

**WHEREAS**, the benefits did not occur, and

**WHEREAS**, from the years 2010 through 2013, the total net loss in local tax revenue for some of the cities and townships of Aitkin County is \$930,000 due to Fiscal Disparities.

**NOW THEREFORE BE IT RESOLVED**, that the Aitkin County Board supports and recommends to the State of Minnesota legislature the repeal of MN Statutes 276A.

Break: 3:13 p.m. to 3:21 p.m.

**BREAK**

The Board reported on the following:

**BOARD  
DISCUSSION**

Commissioner Brian Napstad

- Broadband – Attended seminar at Grand Casino Hinckley on February 28<sup>th</sup>
- MAC – Met Wednesday, March 6<sup>th</sup>. Routine business.
- Met with Shamrock Township - discussed Flood Mitigation Taskforce and County assessments
- Met with NCLUCB in Chisholm - discussed DNR Shoreland Ordinance and PILT

Commissioner Don Niemi

- East Central Regional Library met Monday, March 11<sup>th</sup> - discussed the Mascot Mania Tour and Legacy Programs

Commissioner Anne Marcotte

- Attended the Aitkin County Commerce Show on March 9<sup>th</sup> and 10<sup>th</sup>
- Invited the Board to Trail Town meeting at Fireside Inn at McGregor - March 13<sup>th</sup>

Commissioner Laurie Westerlund

- Park Board met March 11<sup>th</sup> – Met Scott Rian, new LLCC Marketing and Business Manager at Long Lake Conservation Center
- Fisheries Input Group – Met at Hazelton Township

Commissioner J. Mark Wedel

- Aitkin Airport – Discussed Charter Service, LED lighting on windsock
- Historical Society – Railroad will not be donating land
- American Peat Technologies – burns 4000 cords of wood chips per year
- Handed out a Letter of Commendation from MN Dept. of Human Services

Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting to adjourn the meeting at 3:46 p.m. until Tuesday, March 26, 2013 at 9:00 a.m.

**ADJOURN**

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J. Mark Wedel, Chairperson  
Aitkin County Board of Commissioners

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Patrick Wussow, County Administrator