



Handout

Add on

Board of County Commissioners Agenda Request

7C
Agenda Item #

Requested Meeting Date: August 12, 2014

Title of Item: Set Public Hearing Date

<input checked="" type="checkbox"/> REGULAR AGENDA	Action Requested:	<input type="checkbox"/> Direction Requested
<input type="checkbox"/> CONSENT AGENDA	<input checked="" type="checkbox"/> Approve/Deny Motion	<input type="checkbox"/> Discussion Item
<input type="checkbox"/> INFORMATION ONLY	<input type="checkbox"/> Adopt Resolution (attach draft)	<input type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i>

Submitted by: Kirk Peysar	Department: Auditors
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Presenter (Name and Title): Kirk Peysar, County Auditor	Estimated Time Needed: 5 minutes
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Summary of Issue:

Set a public hearing for the Partial Abandonment of a Drainage System located in Sections 7, 8, and 18 of Spencer Township (T47N, R26W) and Sections 12 and 13 of Aitkin Township (T47N, R27W).

EverStar, LLC submitted a petition pursuant to M.S. 103E.806.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:
Set date for Public Hearing.

Financial Impact:

Is there a cost associated with this request? Yes No

What is the total cost, with tax and shipping? \$

Is this budgeted? Yes No *Please Explain:*

DRAFT

NOTICE OF PUBLIC HEARING

AITKIN COUNTY BOARD OF COMMISSIONERS

**Partial Ditch Abandonment of a Drainage System
Involving County Ditch 24
(Pursuant to Minnesota Statute 103E.806)**

Notice is hereby given that on Tuesday, September 9, 2014 , at 10:00a.m., the Aitkin County Board of Commissioners will hold a public hearing at the county board room, county courthouse in the City of Aitkin, Minnesota, for the purpose of considering partial abandonment of drainage systems, in the County of Aitkin, Minnesota.

A copy of the petition for partial abandonment of a drainage system is available for public review at the Office of the County Auditor, Aitkin County Courthouse, 209 Second Street Northwest, Aitkin, Minnesota. Or by calling 218-927-7354.

BY ORDER OF THE COUNTY BOARD.

Dated at Aitkin, Minnesota, this 12th day of August, 2014.

**Kirk Peysar
County Auditor**

103E.806 PARTIAL ABANDONMENT OF A DRAINAGE SYSTEM.

Subdivision 1. **Petition.** After construction of a drainage system, an owner of benefited property may petition the drainage authority to abandon any part of the drainage system that is not of public benefit and utility and does not serve a substantial useful purpose to property remaining in the system.

Subd. 2. **Filing.** If the drainage system is under the jurisdiction of a county drainage authority, the petition must be filed with the auditor of the county. If the drainage system is under the jurisdiction of a joint county drainage authority, the petition must be filed with the county having the largest area of property in the drainage system, where the primary drainage system records are kept. If the system is under the jurisdiction of a watershed district, the petition must be filed with the secretary of the district.

Subd. 3. **Hearing.** (a) When the petition is filed, the drainage authority, in consultation with the auditor or the secretary, shall set a time and location for a hearing on the petition and shall give notice of the hearing by mail to the owners of all property benefited by the drainage system, and either in a newspaper of general circulation within the affected drainage area or by publication on a Web site of the drainage authority.

(b) At the hearing, the drainage authority shall make findings and direct, by order, that part of the drainage system be abandoned, if the drainage authority determines that part of the drainage system does not serve a substantial useful purpose as part of the drainage system to any property remaining in the system and is not of a substantial public benefit and utility.

Subd. 4. **Effect of partial abandonment.** After partial abandonment of a drainage system, a repair petition may not be accepted for the abandoned part of the drainage system and the responsibility of the drainage authority for that part of the drainage system ends.

Subd. 5. **Liens and assessments on property involved in partial abandonment.** An order under this section does not release the property from a drainage lien filed on account of the drainage system before the date of the order. An order under this section does not release the property from any assessment or a drainage lien filed on or after the date of the order for costs incurred on account of the drainage system before the date of the order.

History: 2010 c 298 s 9

EverStar, LLC
9302 Interlachen Road
Lake Shore, MN 56468
218-963-4515

CD # 24

June 6, 2014

Mr. Kirk Peysar
Aitkin County Auditor
209 2nd St NW, Room 202
Aitkin, MN 56431

Delivered By Messenger

Dear Mr. Peysar,

Enclosed, please find EverStar, LLC's petition to impound and divert waters on Aitkin County Ditch (CD) 24, or, in the alternative, its petition to partially abandon CD 24. This action is requested in conjunction with EverStar's proposed wetland restoration and banking application for its property in portions of Sections 7, 8 and 18 of Spencer Township (T47N, R26W) and Sections 12 and 13 of Aitkin Township (T47N, R27W).

EverStar was previously notified by County staff that a bond was not required for the filing of this petition. If a bond is necessary, please contact me immediately. EverStar understands that it must pay the costs incurred if the proceedings are dismissed.

EverStar looks forward to the proceedings on the petition. Please contact me if you have any questions.

Sincerely,



Gayle Momchilovich
EverStar, LLC
gayle9302@gmail.com

cc: Jim Ratz, County Attorney, Aitkin County, 217 2nd St NW, Room 231, Aitkin, MN 56431
John Welle, P.E., Aitkin County Engineer, 1211 Airpark Drive, Aitkin, MN 56431

Handout

August 12, 2014

To: Aitkin County Board of Commissioners

From: Dale Lueck, Aitkin County Citizens

I am here to ask the County Board to take a formal position for or against the proposed new oil pipeline a portion of which could run through Aitkin County.

Last week the Minnesota Public Utilities Commission took public input on the proposed route and has now decided to examine additional routes that may not include Aitkin County. Also, last week Almanac aired a short piece on public TV that included an anti-pipeline representative and an Enbridge representative.

There are a number of anti-pipeline groups that have made headway in delaying the building of the pipeline and ultimately they would like to see the pipeline not built. To date I can find no record of any board action that outlines your position on the construction of the pipeline in Aitkin County.

I also can find no indication that the board has formally asked the county staff to conduct and make public an economic assessment of property tax impact on behalf of the taxpayers of Aitkin County.

My own very rudimentary examination of the value of this new addition to the county commercial tax base appears to be a huge benefit to the property taxpayers of Aitkin County.

I hesitate to provide specific numbers on the magnitude of that impact, except to say that the impact could equal or exceed millions of dollars in annual new property tax revenue.

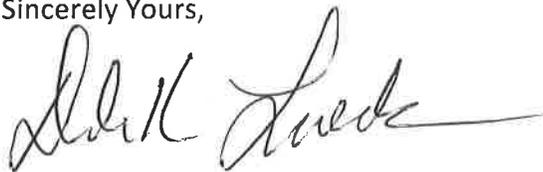
With an annual levy of over \$11 million dollars, that could result in an impact ranging from 10 – 20 percent in new local property tax revenue for the county, not to mention the benefit it would have for our school districts and the impacted townships.

Others are doing their best to delay and defeat the construction of this pipeline through Aitkin County, I would ask that the board conduct an examination of the potential new property tax revenue and then make a determination as to whether the board believes it would be in the best interest of the tax payers of Aitkin County to support or oppose the construction of the pipeline through Aitkin County.

The board's in-action to date on this matter has already allowed those that would delay or prevent the pipeline from being constructed or being re-route outside Aitkin County a big head start on influencing the outcome of this matter.

I would ask the board take this matter under consideration and provide formal input to the public utilities commission at their next session which I believe is scheduled to September 11.

Sincerely Yours,



Dale K. Lueck

(218) 927-2495

DKLueck@embargo.mil.com



Minnesota Counties Intergovernmental Trust

100 Empire Drive, Suite 100
St. Paul, MN 55103-1885
www.mcit.org

Phone: 651-209-6400
Toll Free: 866-547-6516
Fax: 651-209-6496

July 31, 2014

BOARD OF DIRECTORS

Scott Sanders
Trust Chair
Watonwan County
Commissioner

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Charles Enter
Brown County
Administrator

Mr. Kirk Peysar
Auditor
Aitkin County
209 2nd St NW Rm 202
Aitkin, MN 56431

RE: 2014 DIVIDEND NOTICE

Dear Kirk,

Results of the Minnesota Counties Intergovernmental Trust 2013 coverage year are in and the Board of Directors is pleased to announce we have declared the organization's 24th consecutive annual dividend to members. The financial audit conducted by Eide Bailly LLP and the analysis performed by Actuarial Advisors affirmed the soundness of the MCIT program and the fact that funds were available for dividend distribution. **This year's dividend totals \$13 million.** Performance in the workers' compensation division produced \$7.5 million of the dividend and \$5.5 million results from performance in the property/casualty division.

Your 2014 Dividend is \$134,306 allocated as follows:

- Workers' Compensation \$72,761
- Property/Casualty \$61,545

Typically dividends are fueled by investment income. Other contributing factors include members' dedication to risk management and loss control, conservative fiscal program management and better than expected claims development on a pool wide basis.

Dividends are a reflection of MCIT's past performance. Nothing guarantees ongoing positive performance. Each year the MCIT Board of Directors cautions members not to plan on dividends. We remain committed to the fiscal health of the organization and will continue to annually evaluate the merits of returning fund balance.

We are providing this letter to you for purposes of 2015 planning. The actual dividend payment will be mailed to you in mid-November of this year. We are offering the option of having the dividend deposited directly into your bank account.

2014 Dividend Notice
July 31, 2014
Page 2

Please contact Cheri Donovan at 651.209.6415 if you would like to exercise this option or if you have any questions.

MCIT's success is attributable to the long-term commitment of its membership. Members have been steadfast in their dedication to this venture. This dividend is a reward for your hard work.

Thank you for your ongoing participation in MCIT.

Sincerely,



Scott Sanders, Watonwan County Commissioner
Trust Chair

cc: County Board Chair

Should you wish to share this news, find enclosed a press release template that you can modify with your specific information and distribute to your local press either now or when you receive the dividend check in November. Areas you need to customize are highlighted in yellow.

PRESS RELEASE

FOR IMMEDIATE RELEASE

(INSERT MEMBER CONTACT INFORMATION HERE)

[Insert Member] [to Receive/Receives] Dividend from Minnesota Counties Intergovernmental Trust

[INSERT MEMBER'S TOWN], Minn., [insert date]—[insert Member name] [will receive/has received] a dividend in the amount of [insert \$X] from Minnesota Counties Intergovernmental Trust (MCIT) [in November]. MCIT is a member service organization that provides 81 of Minnesota's 87 counties and 378 associated entities with property, casualty and workers' compensation coverage, as well as risk management and loss control services designed for public entities. [insert Member's name] decision to join MCIT has resulted in significant cost savings to taxpayers over the years.

MCIT's decision to issue a dividend is based on a comprehensive actuarial review of the Trust's reserving and rate level strategies, the performance of its investment portfolio, operational expenses, and claim history. The efforts of [insert member name] to manage situations that expose it to loss had a positive impact on the performance of MCIT and contributed to the ability of MCIT to return a dividend this year.

The total dividend that MCIT [will distribute/distributed] to members in 2014 is \$13 million: \$5.5 million from the Workers' Compensation Division and \$7.5 million from the Property/Casualty Division. [insert Member name] [will receive/has received] [insert \$X] from the Workers' Compensation Division and [insert \$X] from the Property/Casualty Division this year.

According to MCIT Board Chair Scott Sanders, Watonwan County commissioner, "The 2014 dividend demonstrates the benefits of pooling, members' dedication to managing risk and the reward of [insert member's name] continued participation in the Trust."

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Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

1720 Big Lake Rd.
Cloquet, MN 55720
Phone (218) 879-4593
Fax (218) 879-4146



Chairwoman
Karen R. Diver

Secretary/Treasurer
Ferdinand Martineau, Jr.

Dist. I Representative
Wally Dupuis

Dist. II Representative
David R. Tiessen, Jr.

Dist. III Representative
Kevin R. Dupuis, Sr.

Executive Director,
Tribal Programs
Chuck Walt

Executive Director,
Enterprises
Michael Himango

Notice of Federal Clean Air Act Redesignation

August 4, 2014

AUG 06 2014

Nathan Burkett
County Administrator
217 2nd Street, NW Rm 130
Aitkin, MN 56431

Dear Mr. Burkett:

The Fond du Lac Band of Lake Superior Chippewa ("the Band") hereby announces to tribal, state and local municipal governments and federal land managers its intent to apply to the United States Environmental Protection Agency ("EPA") to redesignate its reservation lands to Class I air quality pursuant to Section 164(c) of the Clean Air Act. 40 CFR Part 52.21 requires consultation with tribal, state, local municipalities and Federal Land Managers. Therefore, the Band extends this request for consultation to affected governments and federal land managers. If you are interested in consultation regarding our request for redesignation **please notify us by September 1, 2014**. Please contact Alex Jackson, Air Program Coordinator, at classlair@fdlrez.com by September 1, 2014, to express your entity's interest and learn details about meeting locations, dates and times.

At this time, the Band seeks to redesignate only the lands within the exterior boundaries of its reservation. Below please find a link that will provide you access to our technical support document, an economic study and a modeling report that provide a description and analysis of the health, environmental, economic, social, and energy effects of the proposed reclassification that must be made available for public review at least 30 days before the required public hearing. We will be holding a public hearing at Black Bear Casino & Resort on the Fond du Lac Reservation. When details are finalized, the date and time of the information session and public hearing will be widely distributed. Under the redesignation procedure outlined in 40 CFR Part 52.21, and according to recently released guidance from the EPA, an Indian governing body is empowered to initiate redesignation requests provided that they adhere to the following administrative procedures:

- Hold at least one public hearing before submitting the redesignation request.

- Notify other tribes, states and federal land managers of areas that may be affected by the redesignation at least 30 days before the hearing.
- Consult with local and other sub-state general purpose governments in the area (e.g., cities, counties, local agencies).
- Prepare a description and analysis of the health, environmental, economic, social, and energy effects of the proposed reclassification that must be made available for public review at least 30 days before the required public hearing.
- Consult with any states the reservation is located within and that border the reservation. Supporting documentation can be found at (<http://www.fdlrez.com/newnr/environ/airclass1.htm>).

Please contact Alex Jackson, Air Program Coordinator, at Class1Air@fdlrez.com by September 1, 2014, to express your entity's interest in consultation opportunities and to learn details about meeting locations, dates and times.

Sincerely,



Karen R. Diver
Chairwoman

AITKIN COUNTY BOARD OF COMMISSIONERS

Aitkin County Courthouse
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

July 23, 2014

William Bedor
8248 Kentucky Circle
Bloomington, MN 55438

Dear William:

At the July 22, 2014 Aitkin County Board meeting the Aitkin County Board of Commissioners reappointed you to the McGregor Airport Commission for an additional two year term, ending December 31, 2016. We thank you for your application and congratulate you on your reappointment!

If you have any questions, please feel free to contact the City of McGregor at 218-768-2190.

Sincerely,

A handwritten signature in black ink that reads "J. MARK WEDEL". The signature is written in a cursive style with a large, looping initial "J".

J. Mark Wedel, Chair
Aitkin County Board of Commissioners

cc: Aitkin County Board of Commissioners
City of McGregor

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
Nathan Burkett, Administrator
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

August 6, 2014

To the Lakes Associations of Aitkin County:

I am writing this letter to introduce myself as the new county administrator of Aitkin County. It is one of my goals to make connections with people and groups of the County so that I can more effectively assist the County Board and lead the departments in taking appropriate action. I write this letter to offer to come and meet with your association at one of your meetings, to introduce myself, ask questions, and hear from you.

As you are probably aware – the County has received funds from the State to help prevent the spread of Aquatic Invasive Species. We would like to hear any input from your association as to how we should utilize these funds to best protect our waters. The County has until December 31, 2014 to put a plan in place for these funds so a timely response is appreciated.

Please forward any comments or ideas on how the County can get the best value out of the AIS funds to:

Terry Neff
Environmental Services Director
209 2nd St NW Rm 100
Aitkin, MN 56431
218.927.7342
aitkinpz@co.aitkin.mn.us

In addition, I would gladly accept any comments from you or your organization on the water resources protection programs, policies or ordinances of the County at any time. Please feel free to contact me directly at the address or phone number on this letterhead, or by email: nathan.burkett@co.aitkin.mn.us.

Sincerely,



Nathan Burkett
Aitkin County Administrator

Cc: Terry Neff
County Board

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
Nathan Burkett, Administrator
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

August 6, 2014

To the VFW's, American Legions and DAV of Aitkin County:

I am writing this letter to introduce myself as the new county administrator of Aitkin County. It is one of my goals to make connections with people and groups of the County so that I can more effectively assist the County Board and lead the departments in taking appropriate action.

I write this letter to offer to come and meet with your group at one of your meetings, to introduce myself, ask questions, and hear from you.

As a veteran myself, I know the importance of your groups and the value you provide to the county community. Please let me know if I can ever be of assistance to any of you individually or as a group.

Sincerely,



Nathan Burkett
Aitkin County Administrator

cc: Penny Harms, Aitkin County VSO
County Board

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
Nathan Burkett, Administrator
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

August 6, 2014

To the Cities, Townships, and School Districts of Aitkin County:

I am writing this letter to introduce myself as the new county administrator of Aitkin County. It is one of my goals to make connections with people and groups of the County so that I can more effectively assist the County Board and lead the departments in taking appropriate action.

I write this letter to offer to come and meet with your town board, city council, or school board at one of your meetings, to introduce myself, ask questions, and hear from you.

Please let me know if I can ever be of assistance to any of you individually or as a group.

Sincerely,



Nathan Burkett
Aitkin County Administrator

cc: County Board

Aitkin County Board of Commissioners Board Meeting Attendance Record

Date: August 12, 2014

Name	Please check the boxes that apply.			Company Representative – please list.
	Aitkin County Citizen	Aitkin County Employee		
Robert G... Andy CREGO	<input checked="" type="checkbox"/>			Myself
Dale Luell	<input checked="" type="checkbox"/>			Myself
SCOTT WENNER	<input checked="" type="checkbox"/>			Self
David Scott	<input checked="" type="checkbox"/>			Self & home lake
Janet Landerney	<input checked="" type="checkbox"/>			self
Gordon Prickett	<input checked="" type="checkbox"/>			Aitkin County Lakes And Rivers Assoc.
Nanci J... Dan Adams	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Aitkin Age
Robert BASS	<input checked="" type="checkbox"/>			Acso
BARB BASS	<input checked="" type="checkbox"/>			SELF & LAKE MINNEQUA LIP
	<input checked="" type="checkbox"/>			Self & Lake Minnesota Assoc.

