

# AITKIN COUNTY BOARD

February 10, 2015

The Aitkin County Board of Commissioners met this 10<sup>th</sup> day of February, 2015 at 9:02 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Nathan Burkett, and Administrative Assistant Sue Bingham.

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve the February 10, 2015 amended agenda. Item 3A, 2014 Year-End Financial Review was removed from the agenda and will be placed on an upcoming agenda.

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: January 27, 2015 to February 9, 2015; B) Approve County Board Minutes: January 27, 2015; C) Authorize Sale of Vehicle – Administration/CH Maintenance; D) Approve Consumption & Display Permit – Minnewawa Sportsmen’s Club; E) Approve Commissioner Warrants: General Fund \$126,464.97, Road & Bridge \$63,149.07, Health & Human Services \$733.76, Trust \$23,761.11, Forest Development \$5,966.84, Long Lake Conservation Center \$2,855.30, Parks \$11,114.35 for a total of \$234,045.40; F) Approve January Manual Warrants: General Fund \$51,152.27, Road & Bridge \$39,834.46, Health & Human Services \$4,824.73, State \$125,975.51, Trust \$137.20, Forest Development \$74.51, Agency \$361.00, Taxes & Penalties \$1,668.00, Long Lake Conservation Center \$515.42 for a total of \$224,543.10; G) Adopt Resolution – Up North Riders ATV Club Form LG220; H) Adopt Resolution – Authorize Diversion Channel Study Grant Application

Under the consent agenda, motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting to authorize the sale of the following vehicle: 2000 Dodge Dakota pickup truck – Administration/CH Maintenance.

Under the consent agenda, motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve the following Renewal of Consumption & Display (Set Up) Permit:

Minnewawa Sportsmen’s Club Inc., d/b/a Minnewawa Sportsmen’s Club – Shamrock Twp.

Under the consent agenda, motion for a resolution by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to adopt resolution – Up North Riders ATV Club Form LG220:

**BE IT RESOLVED**, the Aitkin County Board of Commissioners agrees to approve the Application for Exempt Permit – Form LG220 – of the Up North Riders ATV Club Inc., at the following location – Fisherman’s Bay, which has an address of 50933 State Highway 65, McGregor, MN 55760 – Workman Township. (Note: Date of activity for Raffle – October 17<sup>th</sup>, 2015)

Under the consent agenda, motion for a resolution by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to adopt resolution – Authorize Diversion Channel Study Grant Application:

**CALL TO ORDER**

**APPROVED  
AGENDA**

**CONSENT  
AGENDA**

**AUTHORIZE SALE  
OF VEHICLE**

**CONSUMPTION &  
DISPLAY PERMIT  
MINNEWAWA  
SPORTSMEN’S  
CLUB**

**RESOLUTION  
20150210-007  
UP NORTH  
RIDERS ATV  
CLUB FORM  
LG220**

**BE IT RESOLVED**, that Aitkin County, hereinafter referred to as the "Applicant" act as legal sponsor for the project contained in the **Flood Damage Reduction Grant Assistance Program Application** to be submitted on February 27, 2015 and that John Welle, Aitkin County Engineer is hereby authorized to apply for the Department of Natural Resources for funding of this project on behalf of the Applicant.

**BE IT FURTHER RESOLVED**, that the Applicant has the legal authority to apply for financial assistance, and the institutional, administrative, and managerial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

**BE IT FURTHER RESOLVED**, that the Applicant has the financial capability to provide any required matching funds.

**BE IT FURTHER RESOLVED**, that the Applicant has not incurred any costs, and has not entered into any written agreements to purchase property proposed by this project.

**BE IT FURTHER RESOLVED**, that the Applicant has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

**BE IT FURTHER RESOLVED**, that upon approval of its application by the state, the Applicant may enter into an agreement with the State of Minnesota for the above-references project, and that the Applicant certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

**NOW, THEREFORE BE IT RESOLVED**, that John Welle, Aitkin County Engineer is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

The Board held a telephone conference with Senator Carrie Ruud and Representative Dale Lueck. The Senator, Representative and County Board discussed recent legislative activity.

Tim Terrill, Executive Director Mississippi Headwaters Board reviewed their "Moving the Needle Toward Protection Campaign" with the Board.

**Personnel Committee Recommendations:**

**Job Appeals:**

Nathan Burkett, County Administrator discussed the job appeal process and corresponding Personnel Committee recommendations for submitted appeals. Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Personnel Committee recommendations as submitted.

**Labor Attorney Services:**

Motion by Commissioner Niemi, seconded by Commissioner Marcotte and carried, all members voting yes to approve Personnel Committee recommendation to end the

**RESOLUTION  
20150210-008  
AUTHORIZE  
DIVERSION  
CHANNEL STUDY  
GRANT  
APPLICATION**

**RUUD & LUECK  
CONFERENCE  
CALL**

**MISSISSIPPI  
HEADWATERS  
BOARD**

**PERSONNEL  
COMMITTEE**

**JOB APPEALS**

**LABOR  
ATTORNEY**

professional relationship with Frank Madden and Associates for labor attorney services, and engage on a fee for service (non contract) basis for labor attorney services with Pemberton Sorlie Rufer and Kushner of Fergus Falls, MN.

The County Board held deliberations on the Petition for Partial Abandonment of a Drainage System (County Ditch 24) located in Sections 7, 8, and 18 of Spencer Township (T47N, R26W) and Sections 12 and 13 of Aitkin Township (T47N, R27W) Aitkin County, MN. EverStar, LLC submitted this petition for ditch abandonment pursuant to Minnesota Statute 103E.806. The Public Hearing officially closed on December 23, 2014. Public comment on the EverStar ditch abandonment petition closed at 4:30 p.m. on January 5, 2015. Jason Kuboushek, legal counsel for Aitkin County, and John Kolb, legal counsel for EverStar LLC were in attendance. The February 4<sup>th</sup> letter from John Kolb, legal counsel for EverStar LLC was admitted into the public record as it was determined to be a summary of information, and contained no new information. After deliberations, motion by Commissioner Marcotte, and seconded by Commissioner Niemi, to direct staff to prepare findings for denial of the petition, and to bring said findings to the February 24<sup>th</sup> Board meeting, at which time a final determination will be made. Roll call vote. All members voted yes to support the motion.

The Board reported on the following: NCLUCB, Parks Board, Extension, HRA, MRCC, ECRL, Wetland Conferences, AIS, NEWAC, Aitkin Airport.

Commissioner Anne Marcotte left at 12:06 p.m.

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried (4-0 Marcotte absent), to adjourn the meeting at 12:33 p.m. until Tuesday, February 24, 2015 at 9:00 a.m.

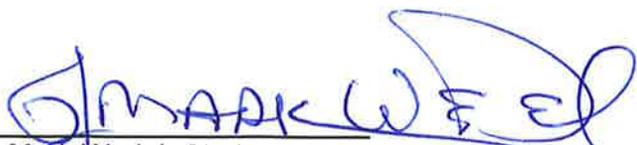
**SERVICES**

**DELIBERATIONS ON THE PETITION FOR PARTIAL ABANDONMENT OF A DRAINAGE SYSTEM - EVERSTAR**

**COMMITTEE UPDATES**

**MARCOTTE LEFT**

**ADJOURN**

  
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J. Mark Wedel, Chairperson  
Aitkin County Board of Commissioners

  
\_\_\_\_\_  
Nathan Burkett, County Administrator