

AITKIN COUNTY BOARD

December 6, 2016

The Aitkin County Board of Commissioners met this 6th day of December, 2016 at 5:33 p.m. with the following members present: Board Chair J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, Interim County Administrator Patrick Wussow and Administrative Assistant Sue Bingham.

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve the amended December 6, 2016 agenda. Under Item 3B, Personnel Committee – Request to Add FT Utility Maintenance Position was added, and Item 3C – Approve Jail Elevator Repairs, was added.

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: November 22, 2016 to December 6, 2016; B) Approve County Board Minutes: November 22, 2016; C) Approve Commissioner Warrants: General Fund \$205,838.07, Road & Bridge \$22,139.84, Health & Human Services \$1,191.03, Trust \$3,210.20, Forest Development \$417.68, Long Lake Conservation Center \$6,387.67, Parks \$20,621.70 for a total of \$259,806.19, D) Accept \$100 Donation to STS from Jacobson Community Church; E) Adopt Resolution: Snowmobile Trail - Limited Use Permit for TH #47; F) Approve Transfer of Existing Funds into Reserves - Environmental Services; G) Approve Re-Authorization of Agreement for Prosecution Services; H) Adopt Resolution: Cooperative Agreement; I) Approve Motorola Services Agreement 2017; J) Adopt Resolution: Konsor Easement 18-47-24; K) Adopt Resolution: 2017 Liquor License Renewals

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, to adopt resolution: Snowmobile Trail - Limited Use Permit for TH #47:

WHEREAS, Aitkin County supports recreation trails for their economic impacts and positive impacts to our quality of life; and

WHEREAS, Aitkin County has very active snowmobile clubs within the County that actively pursue permission from properly owners to locate a snowmobile trail on their property; and

WHEREAS, the right-of-way of Trunk Highway # 47 is needed to maintain connectivity of the snowmobile trails in this area;

NOW THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners hereby approves Agreement LUP 0108-0025 for the purpose of constructing, maintaining, and operating a snowmobile trail within the right-of-way of Trunk Highway #47.

BE IT FURTHER RESOLVED, the Aitkin County Board of Commissioners hereby agrees to the terms of the above agreement as presented and hereby authorizes the Chair to sign said agreement.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting to approve transferring \$3,000

CALL TO ORDER

**APPROVED
AGENDA**

CONSENT AGENDA

**RESOLUTION
20161206-078
SNOWMOBILE
TRAIL - LIMITED
USE PERMIT FOR
TH #47**

**TRANSFER FUNDS
INTO RESERVES**

from Environmental Health FBL account 01-390-6620 (Auto, Trailers, etc.) and hold in reserves for purchase of a newer vehicle in the future.

Under the consent agenda, motion for by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting to approve reauthorization of Agreement for Prosecution Services Between the City of Aitkin and the Aitkin County Attorney's Office.

REAUTHORIZATION OF AGREEMENT FOR PROSECUTION SERVICES

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting to adopt resolution - Cooperative Agreement:

BE IT RESOLVED, that the Aitkin County Attorney's Office Crime Victim Services Program will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

RESOLUTION 20161206-079 COOPERATIVE AGREEMENT

The Aitkin County Attorney, or his designee, is hereby authorized to execute such agreements and amendments, as are necessary to implement the project on behalf of Aitkin County.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting to approve Motorola Services Agreement for 2017 at a cost of \$55,514.16, which is funded through 911 user fees on telephone bills.

MOTOROLA SERVICES AGREEMENT

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting to adopt resolution - Konsor Easement 18-47-24:

WHEREAS, Benjamin and Barbara Konsor of 28053 378th St Aitkin, Mn. 56431 has made application for a residential easement to their property, as follows:

RESOLUTION 20161206-080 KONSOR EASEMENT 18-47-24

Southwest Quarter of the Southwest Quarter Section Eighteen (18) Township Forty-seven (47) Range Twenty-four (24)

over and across the following tax forfeited land to wit:

A 66.00 foot easement for ingress and egress over and across that part of the SE 1/4 of the SW 1/4 of Section 18, Township 47, Range 24, Aitkin County, Minnesota, lying 16.50 feet on each side of the following described line; Commencing at the Southeast corner of said SE 1/4 of the SW 1/4; thence on an assumed bearing of North 88 degrees 24 minutes 51 seconds West, along the South line of said SE 1/4 of the SW 1/4, a distance of 309.94 feet; thence North 01 degrees 35 minutes 09 seconds East, 161.94 feet to a point on the centerline of 257th Place, said point being the point of beginning of the line herein described; thence South 64 degrees 26 minutes 19 seconds West, 110.10 feet; thence South 81 degrees 53 minutes 42 seconds West, 132.12 feet; thence South 68 degrees 24 minutes 55 seconds West, 114.37 feet; thence North 87 degrees 57 minutes 04 seconds West, 497.09 feet; thence South 88 degrees 51 minutes 06 seconds West, 159.60 feet to the West line of said SE 1/4 of

the SW 1/4 and there terminating. The sidelines of said easement shall be prolonged or shortened to terminate on the Westerly right of way line of 257th Place and the West line of said SE 1/4 of the SW 1/4.

WHEREAS, said applicant will pay \$2,376.79 for the easement as appraised by the County Land Commissioner in the following manner: \$400.00 paid upon application and the balance of \$1,976.79 upon resolution by the County Board, and

WHEREAS, the following terms shall apply to this easement:

1. The road shall be constructed and maintained by the grantee or permittee without any cost to the County of Aitkin and shall be open for public use, as long as said easement is in force.
2. No timber has been charged for on this easement, If any timber is cut or destroyed, it shall be paid for at the usual rate as soon as determined by the Land Commissioner.
3. Aitkin County manages County owned and tax-forfeited lands to produce direct and indirect revenue for the taxing districts. This management includes the harvesting and extraction of timber, gravel, minerals, and other resources. The issuing and use of this easement shall not adversely affect the management and harvesting of timber and other resources on County owned and tax forfeited land. If for any reason, including township or county road construction or reconstruction, the easement needs to be relocated, the county and township will not be responsible for any relocation costs.
4. Any such easement may be canceled by resolution of the County Board for any substantial breach of its terms or if at any time, its continuance will conflict with public use of the land, or any time thereof, on which it is granted, after ninety (90) days written notice, addressed to the record owner of the easement at the last known address.
5. Land affected by this easement may be sold or leased for any legal purpose, but such sale or lease shall be subject to this easement and excepted from the conveyance or lease, while such easement remains in force.
6. Failure to use the right of way described in this document for the purpose for which this easement is granted for a period of five years, shall result in the cancellation of this easement and any rights granted to the grantee by this easement shall cease to exist and shall revert to the grantor.
7. Road construction design and use shall not adversely affect the drainage of any lands. Best management practices for the protection of water quality must be followed.
8. All Federal, State, and local laws, ordinances rules, and regulations regarding wetlands, construction of road, placement of fill material, and disposal of excavated material shall be followed and are the responsibility of the grantee. Upon termination of this easement, the grantee shall promptly remove all lines, wires, poles and other personal property and restore said lands to proper condition at no cost to the lessor. If the lessee fails to do so within 60 days of termination, the lessor shall have the right to remove said personal

property and restore said land in which event the lessee shall promptly reimburse the lessor for all costs incurred plus 15%.

- 9. Any land survey markers or monuments, disturbed, moved or destroyed during the construction or maintenance of this easement area shall be replaced and restored at the expense of the applicant. If not replaced or restored by the applicant, the County may restore said monument and the applicant shall be responsible for all costs of said replacement and restoration plus 15%.

WHEREAS, the Aitkin County Land Commissioner, after making an investigation of such application, has advised that he finds no objection to granting such permit and easement.

NOW THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 282.04, Subdivision 4, the County Auditor is hereby authorized to issue a residential road easement to use said strip of land for a recreational road easement into their properties, if consistent with the law, and the special conditions set forth on the recorded easement, over and across the above described property. This easement will be made to Benjamin and Barbara Konsor, their heirs and assigns if approved by the Aitkin County Board.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried to adopt resolution – 2017 Liquor License Renewals:

BE IT RESOLVED, The Aitkin County Board of Commissioners agrees to approve the following liquor license for a period from January 1, 2017 thru December 31, 2017:

“ON”, “OFF” and “SUNDAY” Sale:

Bann's Bar & Café Inc., d/b/a **Bann's Bar & Café** – Shamrock Township
This establishment has an address of 18870 Goshawk St., McGregor, MN 55760

Barnacles Resort of MN Inc., d/b/a **Barnacles** – Wealthwood Township
This establishment has an address of 36569 State Hwy 18, Aitkin, MN 56431

Cuddler Enterprises Inc., d/b/a **Big Sand Bar Resort** – Workman Township
This establishment has an address of 51866 224th Place, McGregor, MN 55760

MacDonald Ent. of Malmo, Inc., d/b/a **Castaways** – Lakeside Township
This establishment has an address of 32360 215th Lane, Isle, MN 56342

RIPS HLI Inc., d/b/a **Horseshoe Lake Inn** – Shamrock Township
This establishment has an address of 48493 Lily Avenue, McGregor, MN 55760

Chuhanic Inc, d/b/a **The Joint Bennettville MN** – Hazelton Township
This establishment has an address of 26838 US Hwy 169, Aitkin, MN 56431

Big Sandy Golf Inc., d/b/a **Minnesota National Golf Course** – Workman Township
This establishment has an address of 23247 480th St., McGregor, MN 55760

Red Rock Bar & Grill LLC, d/b/a **Red Rock Bar & Grill** – Shamrock Township

**RESOLUTION
20161206-081
2017 LIQUOR
LICENSE
RENEWALS**

This establishment has an address of 49463 202nd Place, McGregor, MN 55760

“OFF” Sale:

DAM of Aitkin Lakes Inc., d/b/a **Farm Island Store** – Farm Island Township
 This establishment has an address of 29037 US Highway 169, Aitkin, MN 56431

North Liquor Inc., d/b/a **The Glen Store & Grill Inc.** – Malmo Township
 This establishment has an address of 31993 280th St., Aitkin, MN 56431

Grand Rapids Greenhouse Inc., d/b/a **Gould’s Mississippi Landing** – Ball Bluff Township
 This establishment has an address of 68298 St. Hwy. 65, Jacobson, MN 55752

TJ’s Liquor Inc., d/b/a **TJ’s Liquor** – Malmo Township
 This establishment has an address of 22039 321st Ave., Aitkin, MN 56431

Minnewawa Partners LLC, d/b/a Willey’s Sports Shop & Spirits – Shamrock Township
 This establishment has an address of 46026 State Highway 65, McGregor, MN 55760

“ON” & “SUNDAY” Sale:

Grill of Glen Inc., d/b/a The Glen Store & Grill – Malmo Township
 This establishment has an address of 31993 280th St., Aitkin, MN 56431

The Personnel Committee requested Board action on the following items:

County Administrator Selection

Motion by Commissioner Niemi, seconded by Commissioner Napstad to select Scott Peters as the new Aitkin County Administrator. Motion withdrawn. Motion by Commissioner Niemi, seconded by Commissioner Napstad to hold second interviews with the full Board. Roll call vote. All voted yes.

FT Utility Maintenance

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to fill the vacant FT Utility Maintenance position.

Interim Health & Human Services Director

Motion for a resolution by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting to adopt resolution - Health & Human Services Director:

WHEREAS, the Health and Human Services Director (HHS Director) has resigned and the Aitkin County Board desires to appoint an Interim HHS Director.

NOW THEREFORE, BE IT RESOLVED, that the Aitkin County Board of Commissioners appoints Elizabeth DeRuyck, Aitkin County Community Corrections Director as Interim HHS Director effective on December 6, 2016, at a rate of \$1000/month in addition to her at current rate of pay, all other benefits afforded to Ms. DeRuyck remain the same. Ms. DeRuyck shall be eligible for the same salary increases afforded to other non-union staff based on her current base salary. The

**PERSONNEL
COMMITTEE**

**COUNTY
ADMINISTRATOR
SELECTION**

**UTILITY
MAINTENANCE**

**INTERIM
HEALTH & HUMAN
SERVICES
DIRECTOR**

**RESOLUTION
20161206-082
HEALTH & HUMAN
SERVICES
DIRECTOR**

County Board makes this appointment until such time a full-time HHS Director is hired and appointed by the Aitkin County Board. The Interim HHS Director serves at the pleasure of the Aitkin County Administrator during the interim period. Upon appointment of a permanent HHS Director this appointment shall end. Both the County Board and Ms. DeRuyck have the right to end this appointment at any time during the interim period. Ms. DeRuyck has the right to return to her position as Aitkin County Community Corrections Director at her previous rate of pay plus any salary increases she may have received as Community Corrections Director while serving as Interim HHS Director, without adverse consequence due to her service as Interim HHS Director. The Interim HHS Director is delegated and granted the same duties, responsibilities and authorities as a permanent HHS Director without regard for interim status. Ms. DeRuyck shall be responsible for the duties of Community Corrections Director during her appointment as Interim HHS Director

Aitkin County Community Corrections Staffing

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting to approve adding a PT Community Corrections Report Writer.

The Board recessed at 6:07 p.m. for the 2017 Budget Hearing and at 6:37 p.m. resumed their meeting.

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve repairs to the Jail elevator at a cost of \$18,092 - Minnesota Elevator.

The Board discussed the following: PILT, CARE, Blandin Foundation, and Aitkin Airport

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting to adjourn the meeting at 6:53 p.m. until Tuesday, December 20, 2016 at 9:00 a.m.

J. Mark Wedel, Board Chair
Aitkin County Board of Commissioners

Patrick Wussow, Interim County Administrator

**COMMUNITY
CORRECTIONS
STAFFING**

**RECESSED FOR
BUDGET HEARING**

JAIL ELEVATOR

**BOARD
DISCUSSION**

ADJOURN