

AITKIN COUNTY BOARD

April 10, 2012

The Aitkin County Board of Commissioners met this 10th day of April, 2012 at 9:00 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.

CALL TO ORDER

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve the April 10, 2012 agenda.

**APPROVED
AGENDA**

Consent Agenda amendments: Item 2C) Approve Commissioner Warrants – a \$22.20 item was removed from General Fund expenditures, and Item 2H) Approve Purchase of (1) SUV Police Vehicle – Sheriff's Dept., was pulled for discussion.

**AMEND CONSENT
AGENDA**

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve the amended Consent Agenda as follows: A) Correspondence File: March 27, 2012 – April 9, 2012; B) Approve Minutes: March 27, 2012; C) Approve Commissioner Warrants: General Fund \$155,767.87, Road & Bridge \$25,945.15, Special Revenue \$6,421.53, Health & Human Services \$575.00, State \$85.00, Trust \$12,584.30, Forest Development \$5,956.77, Long Lake Conservation Center \$6,624.36 for a total of \$213,959.98; D) Approve Auditor Warrants – Tax Overpays: Agency \$26.42, Taxes & Penalties \$467.27 for a total of \$493.69; E) Approve March Manual Warrants: General Fund \$40,930.53, Road & Bridge \$81,893.59, Health & Human Services \$3,725.41, State \$31,612.04, Forest Development \$65.00, Agency \$77,899.00, Long Lake Conservation Center \$1,930.93 for a total of \$238,056.50; F) Approve Resolutions: 1. Transfer Forfeited Tax Sales 2011, 2. Tax Forfeited Funds for Timber & Park Development; G) Accept Application & Appoint Timothy Warnest – Park Commission District 4; I) Approve Resolution – 2012 Boat & Water Supplemental Grant; J) Approve Local 49 Road & Bridge 2010-2012 Union Agreement; a) Approve Applications for License to Sell Tobacco Products, b) Approve Resolution – Exempt Permit LG220 of the Ruffed Grouse Society, c) Approve Renewal of Consumption & Display (Set Up) Permit – Cajun Queen, d) Set Public Hearing Date for Soo Line Trail Ordinance

**CONSENT
AGENDA**

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Transfer Forfeited Tax Sales 2011:

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 2011 calendar year was \$30,000.00, and

**RESOLUTION
041012-037
TRANSFER
FORFEITED TAX
SALES 2011**

WHEREAS, the county revenue cost for office space and maintenance for the Aitkin County Land Dept in the Courthouse for the 2011 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 2011 amount to be

placed in this account is \$955.20.

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 \$955.20 shall be transferred from the Forfeited Tax Sales Account (10-923-6901) to the Gravel Pit Account (11-936-5840).

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Tax Forfeited Funds for Timber & Park Development:

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 Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – 2012 Boat & Water Supplemental Grant:

BE IT RESOLVED, that the Aitkin County Board of Commissioners approve the 2012 Boat and Water Safety Agreement on file in the Office of the County Auditor and authorize the Aitkin County Sheriff, County Board Chair and County Auditor to sign the agreement in the amount of \$7,000.00 for the term of May 11, 2012 through September 3, 2012.

Under the consent agenda, motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve the following **Applications for License to Sell Tobacco Products** for the period ending March 31, 2013:

- # 09 ML Gas, Inc., d/b/a **East Lake Convenience Store** – Spalding Township
- # 30 Sather’s Gateway, Inc., d/b/a **Sather’s Store** – Shamrock Township

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Marcotte 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

**RESOLUTION
041012-038
TAX FORFEITED
FUNDS FOR
TIMBER & PARK
DEVELOPMENT**

**RESOLUTION
041012-039
2012 BOAT &
WATER SAFETY
SUPPLEMENTAL
GRANT**

**TOBACCO
LICENSES**

**RESOLUTION
040312-036
EXEMPT PERMIT
LG220 OF THE**

AITKIN COUNTY BOARD

April 10, 2012

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| <p>Southgate Drive, Aitkin, MN 56431 – Aitkin Township. (Note: Date of activity for Raffle – September 13, 2012)</p> | <p>RUFFED GROUSE SOCIETY</p> |
| <p>Under the consent agenda, motion by Commissioner Westerlund, seconded by Commissioner Marcotte, and carried, all members voting yes to approve the following Renewal of Consumption & Display (Set Up) Permit:</p> | <p>CONSUMPTION & DISPLAY PERMIT</p> |
| <p>Rae Ann Halverson, d/b/a Cajun Queen – Shamrock Township</p> | |
| <p>Under the consent agenda, motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting to set May 8, 2012 at 10:00 a.m. as the date and time for a Public Hearing on proposed revisions to the Soo Line Trail Ordinance. The Public Hearing will be held in the Boardroom of the Aitkin County Courthouse.</p> | <p>SET DATE FOR PUBLIC HEARING SOO LINE TRAIL ORDINANCE</p> |
| <p>Barb Misselt, Director East Central Regional Library provided a library update to the Board.</p> | <p>EAST CENTRAL REGIONAL LIBRARY</p> |
| <p>Motion by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members voting yes to approve budgeted purchase of 2013 Ford Utility Police Package SUV from Aitkin Motors - \$26,859.00.</p> | <p>PURCHASE SUV POLICE VEHICLE</p> |
| <p>Steve Hughes, District Manager Aitkin County Soil & Water discussed with the Board the March 30, 2012 Strategic Planning Session of the Mississippi Headwaters Board and the Aitkin County Soil and Water Conservation District's Mississippi River Projects.</p> | <p>MISSISSIPPI HEADWATERS BOARD</p> |
| <p>Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve Contractual Agreement between Aitkin County and the City of Aitkin for the operation of the Aitkin Airport.</p> | <p>AITKIN AIRPORT AGREEMENT</p> |
| <p>Kirk Peysar, County Auditor conducted a Public Hearing for Commissioner Redistricting. There were no public comments. No action was taken. This Public Hearing will be continued to April 24, 2012 at 11:00 a.m. during the regular County Board meeting.</p> | <p>PUBLIC HEARING - REDISTRICTING</p> |
| <p>Break: 10:24 a.m. to 10:31 a.m.</p> | <p>BREAK</p> |
| <p>Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting that the Aitkin County Board as the Animal Control authority finds the evidence presented against the dog named "Sam" is not sufficient. The Animal Control Authority therefore rescinds the potentially dangerous dog designation.</p> | <p>PUBLIC HEARING – POTENTIALLY DANGEROUS DOG</p> |

AITKIN COUNTY BOARD

April 10, 2012

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Final Contract Payment C.P. 01-060-01:

WHEREAS, Contract No. 20111– Project No. CP 01-60-01 – Grading, Aggregate Base, and Aggregate Stockpile 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 Tri City Paving, Inc in the amount of \$46,646.24 as specified herein.

**RESOLUTION
041012-040
FINAL CONTRACT
PAYMENT
C.P. 01-060-01**

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – State of Minnesota Agency Agreement S.P. 01-603-12:

BE IT RESOLVED, that pursuant to Minnesota Statutes Section 161.36, the Commissioner of Transportation be appointed as Agent of Aitkin County to accept as it's agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Aitkin County Engineer is hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 00894", a copy of which said agreement was before the County Board and which is made of part hereof by reference.

**RESOLUTION
041012-041
STATE OF MN
AGENCY
AGREEMENT
S.P. 01-603-12**

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Designate TH232 as Aitkin CSAH No. 3:

WHEREAS, MnDOT Agreement No. 98428 has been executed to provide for the transfer of Minnesota Trunk Highway No. 232 to Aitkin County, and

WHEREAS, Aitkin County has been notified that the Transfer of Trunk Highway 232 to Aitkin County will be effective April 15, 2012.

NOW THEREFORE BE IT RESOLVED, that the following described road is hereby designated as an extension of Aitkin County State-Aid Highway No. 3.

**RESOLUTION
041012-042
DESIGNATE TH232
AS AITKIN CSAH
NO. 3**

Beginning in the City of Palisade at the intersection of Main Street (CSAH No. 3) and transferred segment of Trunk Highway No. 232, said intersection being located approximately 1030 feet north and approximately 170 feet west of the southeast corner of Section 22, Township 49 North, Range 25 West; thence southeasterly along the centerline of transferred segment of Trunk Highway No. 232 for approximately 0.5 miles to the point on the south line of Government Lot No. 5 in Section 26, said Township and Range; thence continue east for approximately 0.8 miles to a point on the east line of said Section 26; thence continue north for

approximately 0.3 miles to a point on the north line of Section 25, said Township and Range; thence continue east for approximately 4.9 miles on or near the north line of said Section 25 and the north lines of Section 30, 29, 28, and 27, Township 49 North, Range 24 West; thence continue easterly around the south side of Rat Lake for approximately 0.3 miles to a point on the north line of Section 26, said Township and Range; thence continue east for approximately 1.3 miles on or near the north line of said Section 26 and the north line of Section 25, said Township and Range to a point on the north-south quarter line of Section 24, said Township and Range; thence continue north for approximately 0.3 miles to a point in Government Lot 6 of said Section 24; thence continue northeasterly for approximately 0.3 miles to a point in the northeast quarter of the southeast quarter of said Section 24; thence continue southeasterly for approximately 0.4 miles to a point on the north line of Government Lot 2 in Section 30, Township 49 North, Range 23 West, thence continue easterly for approximately 0.4 mile to a point on the west line of the state highway right of way of Trunk Highway No. 65, said point is located approximately 420 feet south and approximately 130 feet west of the north quarter corner of said Section 30 and there terminating.

John Welle, County Engineer reviewed the agenda for the April 17, 2012 Road Tour with the Board.

ROAD TOUR

During the meeting, the Board discussed: i) Historical Society, ii) MHB-Walker, iii) BWSR, iv) McGregor Airport Commission, v) LLCC Mgmt, vi) Fair Board, vii) Forest Advisory, viii) Economic Development, ix) Library, x) NEWAC, xi) Aitkin Airport, xii) Records Scanning, xiii) Touring of Aitkin Schools, xiv) County Holidays, xv) Chappy's

BOARD DISCUSSION

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 12:27 p.m. until Tuesday, April 24, 2012 at 10:00 a.m.

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator