

# AITKIN COUNTY BOARD

May 14, 2013

The Aitkin County Board of Commissioners met this 14<sup>th</sup> day of May, 2013 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.

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the May 14, 2013 agenda.

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: April 23, 2013 – May 13, 2013; B) Approve County Board Minutes: April 23, 2013; C) Approve April 30, 2013 County Board Minutes – Special Meeting at LLCC; D) Accept \$80 Donation to STS – Aitkin 1<sup>st</sup> Episcopal Church; E) Approve Use of County Parking Lot May 31, 2013 – DAV Mobile Unit; F) Approve April Manual Warrants: General Fund \$19,837.87, Road & Bridge \$218,590.88, Health & Human Services \$2,103.13, State \$32,228.75, Taxes & Penalties \$2,449.21, Long Lake Conservation Center \$1,830.37 for a total of \$277,040.21; G) Approve Tobacco License – Liberty Beach Bar & Café LLC, d/b/a McGrath Bar & Café – Williams Township; H) Approve Building Maintenance Projects - Courthouse; I) Approve Archery Grant at Long Lake Conservation Center; J) Approve Resolution – Form LG220 White Pine Riders, K) Approve Resolution – Form LG214 Palisade Fire Relief Association; L) Approve Consumption & Display (Set Up) Permit – Larson, Leonard and Kathy, d/b/a Larson's Barn – Workman Township; a) Approve Commissioner Warrants: General Fund \$85,413.01, Road & Bridge \$30,811.41, Special Revenue \$1,068.38, Health & Human Services \$105.60, Trust \$7,034.85, Forest Development \$7,490.11, Long Lake Conservation Center \$11,402.47, Parks \$39,347.31 for a total of \$182,673.14

Under the consent agenda, motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve remodeling projects in the Courthouse and Jail for \$34,417 plus tax – Aitkin Glass/Temco

Under the consent agenda, motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve \$1600 Archery Grant for Long Lake Conservation Center from Minnesota Department of Natural Resources National Archery in the Schools Program.

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve resolution – Form LG220 White Pine Riders:

**BE IT RESOLVED**, The Aitkin County Board of Commissioners agrees to approve the Application for Exempt Permit – Form LG220 – of the White Pine Riders, at the following location – Jackson's Hole, which has an address of 36232 Kestrel Avenue, MN 55760 – Salo Township. (Note: Date of activity for Raffle – July 06, 2013)

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve resolution – Form LG214 Palisade Fire Relief Association:

**CALL TO ORDER**

**APPROVED  
AGENDA**

**CONSENT  
AGENDA**

**COURTHOUSE  
REMODELING  
PROJECTS**

**ARCHERY GRANT  
LONG LAKE  
CONSERVATION  
CENTER**

**RESOLUTION  
051413-048  
FORM LG220  
WHITE PINE  
RIDERS**

**RESOLUTION**

**BE IT RESOLVED**, the Aitkin County Board of Commissioners agrees to approve the following Premises Permit Application - Form LG214, of the Palisade Fire Relief Association, at Minnesota National Golf Course – Workman Township. This establishment has an address of 23247 480<sup>th</sup> Street, McGregor, MN 55760

**051413-049  
FORM LG214  
PALISADE FIRE  
RELIEF  
ASSOCIATION**

Sheriff Scott Turner presented a Certificate of Appreciation to McGregor Area Ambulance for over 35 years of volunteer service and 10,000 service calls. John Bajda, Penny Olson, Dake Olson, and Jerry Farley were in attendance.

**MCGREGOR  
AREA  
AMBULANCE**

Pat Scollard, Sentence to Serve Coordinator provided an STS update to the Board.

**STS UPDATE**

Bobbie Danielson, Human Resources Manager presented Personnel Committee Recommendations to the Board.

**PERSONNEL  
COMMITTEE**

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve filling one full-time Jail Sergeant position, and if the position is filled by promotion, to refill the corresponding full-time Jailer vacancy.

**JAIL SERGEANT**

Patrick Wussow, County Administrator reviewed with the Board the legislation they would like our legislators to concentrate on during the final days of the 2013 legislative session.

**LEGISLATIVE  
UPDATE**

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting to adopt resolution – Worker’s Compensation Policy Changes Act:

**WHEREAS**, Aitkin County has concerns with H.F. 1359, the Worker’s Compensation Policy Changes Act, and we would ask your support in amending the legislation. The proposed changes to Minnesota Statutes 2012, Section 176.011 subd. 15 could create a significant financial burden that, without the proposed amendments, we will struggle to meet without raising taxes, and

**RESOLUTION  
051413-050  
WORKER’S  
COMPENSATION  
POLICY  
CHANGES**

**WHEREAS**, we request that in subdivision 15(d), the language defining “post-traumatic stress disorder” (PTSD) be amended to include the phrase, “out of extraordinary and unusual conditions as compared to the normal conditions of the employment” to the second sentence of the paragraph. Without this clarification, Aitkin County and the Minnesota Counties Intergovernmental Trust, which serves as the joint powers entity that covers our workers’ compensation claims, will be unable to predict and prepare for potential PTSD claims. This would force us to pay increased contributions, which would have to be passed on to the taxpayers. It also would open us up to significant financial exposure from those claims, and protracted litigation, forcing us to also pass those costs on to taxpayers in the future, and

**WHEREAS**, the language, as it currently stands, is unclear and may also require us to be responsible for PTSD that does not stem from a traumatic event that is workplace related, but rather from a personal traumatic event which may be triggered by something normal in the workplace. Without this limitation, we may find ourselves responsible for every kind of trauma, whether work related or not, and

**WHEREAS**, similarly, at the county level, we perform mandated functions under Minnesota

law that private companies do not or cannot perform such as law enforcement, public health, and social services. These employees deal with events that, as part of their job, may seem traumatic to a lay person but are not to them. A sheriff's deputy, for example, will see bodily injury and death in their job. Under the current language, anytime this happens in the normal course of duties, a deputy could potentially claim benefits. Under the proposed changes, the traumatic event would need to be unusual, like the Red Lake school shooting, rather than something expected in the line of duty, and

**WHEREAS**, finally, the current language is ambiguous as to who would be entitled to benefits. This could cause significant delays or improper denials of benefits as everyone searches for guidance through the courts.

**THEREFORE**, by adopting our proposed amendment, the law would provide adequate clarity for those charged with providing coverage, and ensure those employees facing extraordinary traumatic events in the workplace are properly protected.

The telephone conference call with Representative Joe Radinovich and Senator Carrie Ruud was cancelled.

Patrick Wussow, County Administrator reviewed the facts and myths of the Public Employee Retirement Association of Minnesota (PERA) with the Board.

Break: 10:32 a.m. to 10:44 a.m.

Sheriff Scott Turner and Rey Freeman, GeoComm Communications Manager gave the Board a final report on the Aitkin County 800 MHz Radio System.

Sheriff Scott Turner presented the second and final reading of the proposed Social Host Ordinance, with revisions, to the Board. Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried (3-2 Marcotte/Napstad) to adopt the Social Host Ordinance as originally presented, and which most closely mirrors the ordinance passed by the City of Aitkin.

Terry Neff discussed a proposed Joint Powers Agreement with Minnesota Pollution Control Agency (MPCA). Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve entering into this Joint Powers Agreement.

Ross Wagner, Economic Development & Forest Industry Coordinator presented Economic Development Committee's recommendations for Tourism Promotion and Development Grants. Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve the following grants:

- \$ 500.00 – Hill City Chamber of Commerce
- \$ 500.00 – City of Tamarack
- \$ 640.00 – City of Aitkin
- \$ 500.00 – Aitkin County

**RUUD &  
RADINOVICH  
CONFERENCE  
CALL**

**PERA**

**BREAK**

**FINAL REPORT  
800 MHz RADIO**

**SOCIAL HOST  
ORDINANCE**

**MPCA JOINT  
POWERS  
AGREEMENT**

**TOURISM  
PROMOTION AND  
DEVELOPMENT  
GRANTS**

\$2140.00

This item was removed from the agenda pending additional information.

The Board reported on the following:

Commissioner Brian Napstad

- **ATV** – Quadna Mud Run in June
- **LLCC** – Attended April 30, 2013 Special Meeting
- **Joint Powers Natural Resource** – Discussed Con Con Land, County Ditch Law, Department of Natural Resources, and PILT
- **MAC** – Cancelled and rescheduled to May 29<sup>th</sup>
- **ARK** – Health & Human Services set up event in conjunction with McGregor Angels. Commissioner Napstad and Steve Hughes, Aitkin County Soil & Water were speakers.

Commissioner Don Niemi

- **Snake River** – Steve Hughes is working on a water plan for Aitkin County
- **ARDC** – Attended meeting in Tower, MN
- **Economic Development** – Discussed earlier in meeting, under Tourism Grants
- **LLCC** – Attended April 30<sup>th</sup> Special Meeting
- **ECRL** – Met in Cambridge. Went over audit report.

Commissioner Anne Marcotte

- **ATV** – Quadna Mud Run was discussed with Commissioner Napstad
- **Economic Development** – Discussed earlier in meeting, under Tourism Grants
- **Palisade School District Public Hearing** – Attended with Patrick Wussow. The Hearing was held to discuss whether or not to close the elementary school. The School Board will meet May 20<sup>th</sup> to make a decision.

Commissioners Brian Napstad and Anne Marcotte left at 12:21 p.m.

Laurie Westerlund

- **Mille Lacs Watershed** – Attended April 15<sup>th</sup>. Rivers & Lakes Fair is scheduled for June 15<sup>th</sup> at Rippleside Elementary.
- **CMCC** – Attended meeting on April 17<sup>th</sup>. Mark Wedel discussed. Next meeting is May 15<sup>th</sup>.
- **Mille Lacs Tour** – Some topics discussed were shoreland revegetation projects, aquatic invasive species, and glacial effects.
- **HRA** – Met on April 22<sup>nd</sup>. Will meet in Hill City in May.
- **DAC** – Attended meeting on April 18<sup>th</sup>

**SAND PIT ACQUISITION**

**BOARD DISCUSSION**

**NAPSTAD AND MARCOTTE LEAVE**

- **Onanegozie** – Met at Fireside in McGregor. Looking for a grant writer.

J. Mark Wedel

- **CMCC** – Met April 17<sup>th</sup>. Senate Finance Committee says there may be a \$45,000 grant increase.
- **Personnel** – Discussed earlier in meeting.
- **Historical Society** – Scheduled June 11<sup>th</sup> luncheon Noon to 1:00 p.m.
- **Aitkin Airport** – Routine meeting. Reviewed 2014 preliminary budget.
- **Kinship** – No quorum
- **Sobriety Court** – Met April 18<sup>th</sup>. Discussed medicinal marijuana.
- **Labor Management** – Met May 9<sup>th</sup> for a training session.

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried (3-0 Napstad/Marcotte absent), all members voting yes to adjourn the meeting at 12:42 p.m. until Tuesday, May 28, 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