

AITKIN COUNTY BOARD

September 10, 2013

The Aitkin County Board of Commissioners met this 10th day of September, 2013 at 9:03 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 Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve the September 10, 2013 agenda.

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: August 27, 2013 – September 9, 2013; B) Approve County Board Minutes: August 27, 2013; C) Approve Auditor Warrants – Taconite Payments to Towns & Cities: Agency \$43,277.00; D) Approve Commissioner Warrants: General Fund \$88,733.55, Road & Bridge \$20,442.39, Health & Human Services \$966.37, Trust \$3,138.26, Forest Development \$3,331.56, Long Lake Conservation Center \$4,861.27, Parks \$3,867.31 for a total of \$125,340.61; E) Approve Lost Warrant Replacement Requests - Health & Human Services: Simon Hill \$88.20 - Warrant #87706, Terry Hammond \$61.06 – Warrant #85064, Cynthia Bennett \$41.00 – Warrant #83580, and State Fire Marshall \$50.00 – Warrant #85369; F) Approve Resolution – Final Payment Contract No. 20122; G) Approve Resolution – Final Payment Contract No. 20124; H) Approve Withdrawal from North Central Drug Task Force; I) Approve Resolution – Kim Randolph Repurchase Application; a) Approve Donation of Retired Squad for Airport Use; b) Approve Pomroy Fire Tower transfer from the State of MN to Aitkin County

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Final Payment Contract No. 20122:

WHEREAS, Contract No. 20122 – Project No. C.P. 01-090-19, C.P. 01-614-01, and C.P. 01-636-01– McGregor Airport and Bituminous Overlay on County State Aid Highway Nos. 14 and 36 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 on behalf of the County of Aitkin and authorize final payment to Anderson Brothers Construction in the amount of \$5,295.69 as specified herein.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Final Payment Contract No. 20124:

WHEREAS, Contract No. 20124 – Project No. SAP 001-605-009 – Grading and Aggregate Base 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 project for and on behalf of the County of Aitkin and authorize final payment to Roth Construction in the amount of \$13,997.65 as specified herein.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve giving required 30-day notice to

CALL TO ORDER

**APPROVED
AGENDA**

**CONSENT
AGENDA**

**RESOLUTION
091013-072
FINAL PAYMENT
CONTRACT NO.
20122**

**RESOLUTION
091013-073
FINAL PAYMENT
CONTRACT NO.
20124**

**NORTH CENTRAL
DRUG TASK**

withdraw from the North Central Drug Task Force Joint Powers Agreement.

FORCE JPA

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Kim Randolph Repurchase Application:

WHEREAS, Kim Randolph, the former owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Aitkin, Minnesota, and described as follows, to-wit:

**RESOLUTION
091013-074
KIM RANDOLPH
REPURCHASE
APPLICATION**

3.40 ac of Lot 4 in Document #343981 Section Twenty-five (25) Township Forty-nine (49) Range Twenty-three (23)

And **WHEREAS**, said applicant has set forth in his application that:

- a) Hardship and injustice has resulted because of forfeiture of said land, for the following reasons, to-wit:

It has been my home for 18 years. I will lose my home. I am the owner of the property and have been paying mortgage payments since 1994.

- b) The repurchase of said land by me will promote and best serve the public interest, because:

I will maintain the property and keep the taxes current.

And **WHEREAS**, this Board is of the opinion that said application should be granted for such reasons,

NOW THEREFORE BE IT RESOLVED, that the application of Kim Randolph for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve donating 2009 Chevrolet Impala retired squad from the Sheriff's Department to Aitkin Airport.

**RETIRED SQUAD
TO AITKIN
AIRPORT**

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve Pomroy Fire Tower transfer from the State of MN to Aitkin County. It is estimated that re-erection of the tower should be completed within five years, with no public funds used for the project.

**POMROY FIRE
TOWER**

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Advance of 2014 State-Aid Construction Funds:

WHEREAS, the County of Aitkin has implemented County State Aid Highway Projects in 2012 and 2013 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account, and

**RESOLUTION
091013-075
ADVANCE OF 2014
STATE-AID**

WHEREAS, said County has proceeded with the construction of said projects through the use of an anticipated advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular Construction Account, and

CONSTRUCTION FUNDS

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of 9-10-13:	\$ 194,118.40
Less estimated disbursements:	
S.P 001-607-003	\$ 138,208.15
S.A.P. 001-603-010	\$ 103,786.73
S.A.P. 001-603-011	\$ 190,929.51
S.A.P. 001-632-005	\$ 330,350.26
S.A.P. 001-605-009	\$ 82,855.78
S.A.P. 001-604-010	\$ 72,103.74
S.A.P. 001-632-004	\$ 228,661.81
Total Estimated Disbursements	\$1,146,895.98
Advance Amount (amount in excess of acct balance)	\$ 952,777.58

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Aitkin in an amount up to \$952,777.58 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Partial Vacation of County Road 85 Right of Way:

WHEREAS, Aitkin County acquired right-of-way on Aitkin County Road No. 85 as a Trunk Highway Turnback from the Minnesota Department of Transportation, and

WHEREAS, portions of excessively wide right-of-way can restrict a landowner’s ability to improve the property, and

WHEREAS, a landowner has requested the vacation of the outer 40 feet of right-of-way to reduce the right-of-way width from 100 feet to 60 feet, measured from the centerline of County Road No. 85, and

WHEREAS, it has been determined that the right-of-way is excessively wide in this area and therefore can be reduced to a width of 60 feet from the centerline of County Road No. 85.

**RESOLUTION
091013-076
PARTIAL
VACATION OF
COUNTY ROAD 85
RIGHT OF WAY**

NOW, THEREFORE, BE IT RESOLVED, in accordance with Minnesota Statute 163.11, Subd. 1 and 4 that the portion of Aitkin County Road No. 85 right-of-way hereinafter described is hereby vacated so that the property reverts to the owner of said property.

That portion of the existing right-of-way of County Road No. 85 (Pike Avenue), also known as Old US Highway 169, said existing right-of-way having been previously established as 100 feet in width, as per the Final Certificate filed in Book "64" of Deeds, Page 53 in the office of the Aitkin County Recorder, that lies within Government Lot 1 of Section 7, Township Forty-four (44), Range Twenty-seven (27), Aitkin County, Minnesota, lying northwesterly of a line parallel with and 60 feet northwesterly of the following described centerline: Commencing at the northwest corner of said Section 7; thence North 90 degrees 00 minutes 00 seconds East, assumed bearing, 1075.50 feet along the north line of said Section 7 to the existing centerline of said Old US Highway 169 as now constructed; thence South 43 degrees 48 minutes 00 seconds West 207.60 feet along said centerline; thence southwesterly 775.0 feet on a tangential curve concave to the southeast with a radius of 5729.58 feet and a central angle of 07 degrees 45 minutes 00 seconds to the point of beginning of the centerline to be described: thence continuing southwesterly along said centerline 18.33 feet along said curve with radius of 5729.58 feet and a central angle of 00 degrees 11 minutes 00 seconds; thence South 35 degrees 52 minutes 00 seconds West, tangent to said curve to its intersection with the west line of said Government Lot 1 of said Section 7 and said centerline there terminating.

It is the intent of this vacation to establish a new right-of-way width on the northerly side of this portion of County Road No. 85, said new right-of-way being 60 feet in width, being parallel with and 60 feet northwesterly of the existing centerline of said County Road No. 85 on the northerly side of this portion.

John Welle, County Engineer reviewed the 2012 Aitkin County Highway Department Annual Report with the Board. Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve the 2012 Annual Report.

**2012 HIGHWAY
DEPT. ANNUAL
REPORT**

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve resolution – 2013-2014 Airport Improvement Projects:

BE IT RESOLVED that the State of Minnesota / Federal Aviation Administration Grant Agreement for 2013-2014 Airport Improvement Projects for Wildlife Hazard Assessment and Wildlife Hazard Management Plan at the Aitkin Municipal Airport, including project closeout and administrative costs, is accepted.

**RESOLUTION
091013-077
2013-2014
AIRPORT
IMPROVEMENT
PROJECTS**

BE IT FURTHER RESOLVED that the Chairman of the Board and the County Attorney are authorized to execute the Agreement and any amendments on behalf of Aitkin County.

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – 2014 Unorganized Road & Bridge:

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the Unorganized Townships of Aitkin County, for the year collectible 2014 for Road and Bridge purposes:

**RESOLUTION
091013-078
2014
UNORGANIZED**

Unorg Township	
52-22	\$3000
45-24	\$2000
47-24	\$7500
52-24	\$1500
50-25	\$4000
51-25	\$0
52-25	\$4000
50-26	\$2000
48-27	\$4500
49-27	\$9000
50-27	\$0
51-26	\$0
52-27	\$3500

ROAD & BRIDGE

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – 2014 Unorganized Fire Protection:

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the Unorganized Townships of Aitkin County, for the year collectible 2014 for Fire Protection purposes:

**RESOLUTION
091013-079
2014
UNORGANIZED
FIRE PROTECTION**

Unorg Township	
52-22	\$5000
51-22	\$125
45-25	\$450
47-25	\$1500
52-26	\$1500
50-28	\$1600
51-27	\$200
52-27	\$2500
50-29	\$1500
48-28	\$2400
49-28	\$4750
50-30	\$275
51-27	\$1000
52-28	\$2300

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – 2014 Unorganized Cemetery:

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the Unorganized Townships of Aitkin County, for the year collectible 2014 for Cemetery (Revenue):

**RESOLUTION
091013-080
2014
UNORGANIZED
CEMETERY**

Unorganized Township Cemetery:

Shovel Lake Cemetery	
51-27	\$600
52-27	\$600

Hebron Cemetery
50-25

\$1,500

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting to set Tuesday, December 3, 2013 at 6:05 p.m. in the County Boardroom of the Aitkin County Courthouse as the date, time, and place to hold the 2014 Public Budget Hearing.

**SET 2014
PUBLIC BUDGET
HEARING DATE**

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting to adopt resolution – 2014 Preliminary Levy:

**RESOLUTION
091013-081
2014
PRELIMINARY
LEVY**

BE IT RESOLVED, that the preliminary Aitkin County tax levy for payable 2014 be set at \$11,725,696.

The County Board discussed Carlton County’s request for a letter of support to Enbridge and chose to take no action.

**LETTER OF
SUPPORT**

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

**PERSONNEL
COMMITTEE**

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve filling one full-time 911 Dispatcher position, and to authorize refilling any corresponding vacancy. This is a budgeted position that is vacant due to a resignation.

**FT 911
DISPATCHER**

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve filling one full-time Financial Worker position, and to authorize refilling any corresponding vacancy. This is a budgeted position that is vacant due to a resignation.

**FT FINANCIAL
WORKER**

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve filling one part-time cook position at Long Lake Conservation Center, and to authorize refilling any corresponding vacancy. This is a budgeted position that is vacant due to a resignation.

PT COOK LLCC

Patrick Wussow, County Administrator and Bobbie Danielson, Human Resources Manager discussed with the Board the decertification of the Local 49’ers at Long Lake Conservation Center, which became effective September 4, 2013.

**LLCC 49’ERS
DECERTIFICATION**

The Board reported on the following:

**BOARD
DISCUSSION**

Commissioner Brian Napstad

- **MAC** – Talked about capital improvements, and zoning project. Bill Bedor was

named Chairman, and Commissioner Brian Napstad, Vice Chairman.

- **AMC** – Attended the Environmental Natural Resources and Health & Human Services Policy Committee meetings in Alexandria.
- **NCLUCB** – Met in Chisholm. Commissioner Marcotte also attended.

Commissioner Don Niemi

- **AMC** – Attended the Transportation Policy Committee meetings in Alexandria, and reported with John Welle, County Engineer.
- **Library** – Met September 9th. Set budget at \$234,366.

Commissioner Anne Marcotte

- **AMC** – Attended General Government, and Health & Human Services Policy Committee meetings in Alexandria,
- **NCLUCB** – Attended meeting in Chisholm, along with Commissioner Napstad.
- **Economic Development** – Two hour meeting. Hill City National Night out had a good turnout.
- **MRCC** – Met September 5th in Alexandria.

Commissioner Laurie Westerlund

- **AMC** – Attended the Public Safety Policy Committee meetings in Alexandria.

Commissioner J. Mark Wedel

- **Historical Society** – Barn book will go to publisher next month.
- **Airport** – Tower is done, and windsock is up. Picked up another courtesy car.

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to adjourn the meeting at 1:12 p.m. until Tuesday, September 24, 2013 at 9:00 a.m.

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator