

# AITKIN COUNTY BOARD

October 8, 2013

The Aitkin County Board of Commissioners met this 8<sup>th</sup> day of October, 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.

**CALL TO ORDER**

Chairperson J. Mark Wedel closed the meeting at 9:03 a.m. under MN Statute 13D.03 Subd. 1(b) Labor Negotiations.

**CLOSED SESSION**

Chairperson J. Mark Wedel reopened the meeting at 10:17 a.m.

**OPEN MEETING**

Break: 10:17 a.m. to 10:31 a.m.

**BREAK**

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the October 8, 2013 amended agenda. Items 4A) Employee Recognition and 8A) MN DNR Request to Acquire Additional 762 Acres of Land In Fleming Township to Enlarge Gun Lake State Wildlife Management Area, were removed.

**APPROVED AGENDA**

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: September 24, 2013 – October 7, 2013; B) Approve County Board Minutes: September 24, 2013; C) Approve Commissioner Warrants: General Fund \$70,952.95, Road & Bridge \$94,171.16, Health & Human Services \$105.60, Trust \$1,049.59, Forest Development \$2,466.43, Long Lake Conservation Center \$7,367.89, Parks \$5,722.38 for a total of \$181,836.00; D) Approve Resolution – Repurchase of Tax Forfeited Property: LeClair; E) Approve Out of State Travel Request – Economic Development; F) Approve Affidavit for Duplicate of Lost Municipal Order or Warrant: Century Link \$45.97 – Warrant #41187, and Pete Gansen \$67.10 – Warrant #42997; G) Approve Resolution – Final Payment Contract No. 20121; H) Approve Resolution – Partial Vacation of County Road 85 Right of Way

**CONSENT AGENDA**

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Repurchase of Tax Forfeited Property: LeClair:

**WHEREAS**, Nicholas LeClair, 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  
100813-084  
REPURCHASE OF  
TAX FORFEITED  
PROPERTY:  
LECLAIR**

Bellhorn Heights 2<sup>nd</sup> Addition Blk 11 Lot #9  
Bellhorn Heights 2<sup>nd</sup> Addition Blk 11 Lot #10  
All in Section 17 Township 49 Range 23 (Shamrock)

**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:

*I was not receiving tax statements until last year. They were going to my aunt instead. Once that was resolved, taxes were behind and we paid current taxes*

*but not back taxes. We, my wife and I, intended to get current in October as I just started a new job. We missed the notice that we had to pay by the end of August.*

- b) The repurchase of said land by me will promote and best serve the public interest, because:  
*Future taxes will be kept current, and eventually I would like to build a cabin.*

**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 from Nicholas LeClair 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 Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve out of state travel for a day trip tour of Ladysmith, Wisconsin – Economic Development Committee.

**OUT OF STATE TRAVEL – LADYSMITH, WI**

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Final Payment Contract No. 20121:

**WHEREAS**, Contract No. 20121 – Project No. SP 001-090-002– Aitkin Trails has in all been completed, and the County Board being fully advised in the premises.

**RESOLUTION 100813-085 FINAL PAYMENT CONTRACT NO. 20121**

**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 Eagle Construction in the amount of \$5,449.69 as specified herein.

Under the consent agenda, 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

**RESOLUTION 100813-086 PARTIAL VACATION OF COUNTY ROAD 85 RIGHT OF WAY**

**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 50 feet of right-of-way to reduce the right-of-way width from 100 feet to 50 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 50 feet from the centerline of County Road No. 85.

**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 75 feet and 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 the Southwest Quarter of the Southwest Quarter of Section 6, Township Forty-four (44), Range Twenty-seven (27), Aitkin County, Minnesota, and also that part that lies westerly of the southerly extension of the east line of Lot 9, Block One, of WATKINS GLEN, as platted and recorded in the office of the County Recorder of said Aitkin County, that lies northwesterly of a line parallel with and 50 feet northwesterly of the following described centerline: Commencing at the southwest corner of said Section 6; thence North 88 degrees 44 minutes 39 seconds East, assumed bearing, 1096.6 feet along the south line of said Section 6 to the existing centerline of said Old US Highway 169 as now constructed, said point being the point of beginning of the centerline to be described; thence North 43 degrees 51 minutes 35 seconds East 470.23 feet along said centerline to its intersection with the southerly extension of the east line of said Lot 9 and said centerline there terminating. It is intended to extend or shorten said new right-of-way line so as to terminate at the southerly line of the Southwest Quarter of the Southwest Quarter of said Section 6 and at its intersection with said southerly extension of the east line of said Lot 9.

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 50 feet in width, being parallel with and 50 feet northwesterly of the existing centerline of said County Road No. 85 as the same crosses the above described property.

Aitkin County and the AFSCME HHS union have been in contract negotiations, followed by mediation, since November 22, 2010. Bobbie Danielson, Human Resources Manager presented new contracts to the Board and requested ratification of the 2011-2012 and 2013-2014 AFSCME HHS collective bargaining agreements. The 2011, 2012, and 2013 wages follow the pattern settlement at 0% general adjustment, plus steps for employees who are eligible to receive step increases. 2014 wages include a \$0.45 per hour general increase, plus step increases for eligible employees. Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve the contracts, and to authorize signatures.

**AFSCME HHS AGREEMENTS**

Motion by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members voting yes to approve outsourcing and combining the Notices of Valuation and Classification and Property Tax Statements to American Solutions for Business. The estimated cost in 2014 is \$10,439.70, excluding postage, with no more than a 7% per year increase in the cost of forms and envelopes.

**PROPERTY TAX STATEMENTS AND VALUATION NOTICES**

Mark Jacobs, Land Commissioner reviewed the proposed 2014 Land Department budget with the Board.

**2014 PROPOSED LAND DEPT BUDGET**

Scott Rian, LLCC Business and Marketing Manager gave the Board an update on Long Lake Conservation Center.

**LONG LAKE CONSERVATION CENTER**

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – Establish Lake Minnewawa LID:

**BE IT RESOLVED** that Aitkin County hereby establishes a Lake Improvement District for Lake Minnewawa under Minnesota Statute 103B.501 to 103B.581.

**BE IT FURTHER RESOLVED** that the name of this organization is Lake Minnewawa Lake Improvement District (LMLID).

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to approve resolution – Lake Minnewawa Lake Improvement District (LMLID):

**WHEREAS**, the purpose of the LMLID is to provide an equitable and stable tax-based funding mechanism to support and improve the health of Lake Minnewawa. The LMLID is responsible for compliance with all State statutes and applicable County LID policies and other requirements as directed by Aitkin County, and

**WHEREAS**, membership includes all property owners within the LMLID. This includes all lakeshore properties of Lake Minnewawa and back-lot properties with deeded access to lakeshore property. Each member is entitled to one vote per assessed property at the Annual Meeting of the District or any other Special District meetings when held, and

**WHEREAS**, a \$65 per property annual special assessment shall be collected by Aitkin County from all LMLID members, and

**WHEREAS**, there will be a minimum of five members, and a maximum of nine members on the Board of Directors, consisting of President, Vice President, Treasurer, Secretary and Director(s). The initial Board will consist of: Patrick Rath, President (3 year term); David Warner, Vice President (3 year term); Leland Carlson, Treasurer (2 year term); Robert Bass, Secretary (2 year term); and Michael Zell, Director (2 year term), and

**WHEREAS**, the Aitkin County Board of Commissioners accepts the proposed LMLID by-laws, as attached.

**NOW THEREFORE BE IT RESOLVED**, the Aitkin County Board of Commissioners hereby accepts and approves the Lake Minnewawa Lake Improvement District (LMLID).

The Board reported on the following:

Commissioner Brian Napstad

- **BWSR** – Training session by the Attorney General’s Office.
- **NCLUCB** – Met in Grand Rapids. Discussed AMC Policy positions.
- **Lake Minnewawa LID** – Attended October 5<sup>th</sup> Public Hearing.

Commissioner Anne Marcotte

- **Lake Minnewawa LID** – Attended October 5<sup>th</sup> Public Hearing.
- **NCLUCB** – Attended meeting in Grand Rapids, along with Commissioner Napstad.

**RESOLUTION  
100813-087  
ESTABLISH LAKE  
MINNEWAWA LID**

**RESOLUTION  
100813-088  
LAKE  
MINNEWAWA  
LAKE  
IMPROVEMENT  
DISTRICT (LMLID)**

**BOARD  
DISCUSSION**

Commissioner Laurie Westerlund

- **HRA** – Working on roof at Maryhill Manor in Aitkin.
- **MACCAC Conference** – Attended.

Commissioner J. Mark Wedel

- **Airport** – Qualified for grant from MnDot. Now have a second courtesy car.
- **Historical Society** – Beginning October 9<sup>th</sup> there will be a display set up at The Butler Building.
- **Economic Development Authority** – 40 Club Inn requested a loan. New Industrial Park sign will be going in.
- **Exit Interview with State Auditor** – Hour long conference call.

Patrick Wussow, County Administrator discussed the upcoming October 18, 2013 AMC District 1 meeting with the Board and noted that he will be on unpaid furlough the week of October 14, 2013.

Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 12:06 p.m. until Tuesday, October 22, 2013 at 9:00 a.m.

**COUNTY  
ADMINISTRATOR**

**ADJOURN**

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J. Mark Wedel, Chairperson  
Aitkin County Board of Commissioners

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Patrick Wussow, County Administrator