

The Aitkin County Board of Commissioners met this 11th day of July, 2017 at 9:02 a.m. with the following members present: Board Chair J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Bill Pratt, Anne Marcotte, County Administrator Jessica Seibert and Administrative Assistant Sue Bingham.

CALL TO ORDER

Motion by Commissioner Niemi, seconded by Commissioner Pratt and carried, all members voting yes to approve the July 11, 2017 amended agenda. Consent Agenda Item 2L – Set Public Hearing Date for Buffer Ordinance clarified the date for the Public Hearing, Consent Agenda Item 2M – Approve County Administrator’s Performance Evaluation Summary, and Agenda Item 5E – Approve EAW for Distribution, were added to the Agenda. No action was taken on Consent Agenda Item 2K, - Adopt Resolution – Budget Amendment (Community Corrections).

APPROVED AGENDA

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve the amended Consent Agenda as follows: A) Correspondence File: June 27, 2017 to July 10, 2017; B) Approve County Board Minutes: June 27, 2017; C) Approve Commissioner Warrants: General Fund \$141,892.69, Road & Bridge \$26,299.96, Health & Human Services \$1,038.11, Trust \$12,403.53, Forest Development \$1,971.54, Long Lake Conservation Center \$8,572.70, Parks \$12,134.43 for a total of \$204,312.96; D) Approve Duplicate of Lost Warrant #106973, dated 5-19-17, to Dawn Waddick for \$297.00; E) Adopt Resolution: Set Public Hearing Date – Classification of Tax-Forfeited Lands; F) Accept \$75 Donation to Sheriff’s Office from Ms. Deloris Goetzke; G) Adopt Resolution: Form LG220 - Lawler Area Community Club; H) Approve Temporary 3.2% Malt Liquor License - Aitkin Fire Department; I) Authorize Sale of Used Culverts - Highway Department; J) Adopt Resolution: Award Contract No. 20174; L) Set Public Hearing for Buffer Ordinance; M) Approve County Administrator's Performance Evaluation Summary

CONSENT AGENDA

Under the consent agenda, motion for a resolution by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to adopt resolution - Set Public Hearing Date - Classification of Tax-Forfeited Lands:

WHEREAS, MN Statue 282.01 allows the County Board to classify tax-forfeited lands either to be retained in public ownership for public benefits or returned to private ownership, and

WHEREAS, MN Statute 282.01 requires that a public hearing be held to receive comments and recommendations about the pending classifications.

THEREFORE, BE IT RESOLVED, the Aitkin County Board of Commissioners hereby sets a public hearing for September 12th, 2017 at 10:00 AM at the Aitkin County Courthouse for the classification of the following parcels of tax-forfeited lands. The proposed classification is on each legal description.

This resolution also cancels the public hearing set for July 25th, 2017 at 11:00 a.m. by Resolution #20170627-047.

**RESOLUTION
20170711-049
SET PUBLIC
HEARING DATE -
CLASSIFICATION
OF TAX-
FORFEITED
LANDS**

Land Classification 2016 Forfeitures

Pin #	Legal Desc	Sec	Twp	Rge	Proposed Classification
02-1-068900	Thoes Subdivision of Lot 8 of Bridge Park Lot 2	9	52	23	Non-conservation
02-1-070600	Thoes Subdivision of Lot 8 of Bridge Park Lot 19	9	52	23	Non-conservation
17-0-008301	2.53 acres in SW corner of SW-SE less 1.10 acs r/w	7	46	24	Non-conservation
29-1-213600	Sheshebe Point 2 nd Addition W ½ Lot 96	22	49	23	Non-conservation
32-1-073801	Big Sandy Lake Highlands 5 th Addn Lot 154 less 171 x 100 ft & less N 220 ft	34	50	23	Non-conservation
32-1-073902	Big Sandy Lake Highlands 5 th Addn 100 x 200 ft Lot 155 in Doc 225796	34	50	23	Non-conservation
35-1-092000	Enchanted Acres Outlot B	7	49	26	Non-conservation
36-1-080701	Alfreda Addition Lot 6 Blk 1 In Doc 214407	24	45	26	Non-conservation
36-1-080702	Alfreda Addition Lot 6 less part in Doc 214407	24	45	26	Non-conservation
56-0-124900	Unplatted part of SW-NW in B 124 D P 51 less part in Doc 384632	25	47	27	Non-conservation
58-1-006400	McGrath Lot 1 Blk 6	5	43	23	Non-conservation
61-1-011600	Tingdales Original Townsite of Tamarack Lot 11 Blk 2	15	48	22	Non-conservation

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to adopt resolution – Form LG220 – Lawler Area Community Club:

BE IT RESOLVED, the Aitkin County Board of Commissioners agrees to approve the Application for Exempt Permit – Form LG220 – of the Lawler Area Community Club, 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 – November 11, 2017)

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve the following Temporary On Sale 3.2 Malt Liquor License for July 22nd, 2017:

ON Sale:
Aitkin Fire Department, d/b/a Aitkin Fire Department Relief Association – Aitkin Township

**RESOLUTION
20170711-050
FORM LG220 –
LAWLER AREA
COMMUNITY
CLUB**

**TEMPORARY ON
SALE 3.2 MALT
LIQUOR LICENSE
– AITKIN FIRE
DEPARTMENT**

Under the consent agenda, motion for a resolution by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to adopt resolution – Award Contract No. 20174:

WHEREAS, Contract No. 20174 is for construction of C.P. 001-090-030, and

WHEREAS, sealed bids were opened for this project at 2:00 p.m. on Monday, July 3, 2017 with a total of three bids received, and

WHEREAS, Ferguson Brothers Excavating, Inc. – Alexandria, MN was the lowest responsible bidder in the amount of \$187,300.

THEREFORE, BE IT RESOLVED, that, Ferguson Brothers Excavating, Inc. is awarded Contract No. 20174.

BE IT FURTHER RESOLVED, that the chairperson of the Aitkin County Board and the Aitkin County Auditor are hereby authorized and directed to enter into a contract on behalf of Aitkin County with said low bidder upon presentation of proper contract documents.

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to set date for Public Hearing for Buffer Ordinance on August 21, 2017 at 4:00 p.m. with the Planning Commission, in the Aitkin County Board of Commissioners Room of the Aitkin County Courthouse.

The Board recognized the following employee for her years of service:

- Debra Tuper, 25 years of service, Social Worker in Health & Human Services

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve Individual Disaster Abatement request for Parcel 07-0-047701 for 2015 payable in the amount of \$326.

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting to deny Subscriber Access to database of Assessor Photos on LINK GIS.

Motion by Commissioner Pratt, seconded by Commissioner Marcotte and carried, all members voting yes to approve contract for architectural design with Boarman Kroos Vogel Group, Inc. (BKV Group), with final modifications as recommended by County Attorney Jim Ratz.

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve contract for construction management with Contegrity Group, Inc.

**RESOLUTION
20170711-051
AWARD
CONTRACT NO.
20174**

**SET PUBLIC
HEARING DATE
FOR BUFFER
ORDINANCE**

**EMPLOYEE
RECOGNITION**

**INDIVIDUAL
DISASTER
ABATEMENT**

**SUBSCRIBER
ACCESS TO
LINK GIS**

BKV GROUP

**CONTEGRITY
GROUP**

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – Resolution Relating to Financing of Certain Proposed Projects to be Undertaken by the County; Establishing Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code:

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Aitkin County, Minnesota (the "County"), as follows:

**RESOLUTION
20170711-052
RESOLUTION
RELATING TO
FINANCING OF
CERTAIN
PROPOSED
PROJECTS TO BE
UNDERTAKEN BY
THE COUNTY;
ESTABLISHING
COMPLIANCE
WITH
REIMBURSEMENT
BOND
REGULATIONS
UNDER THE
INTERNAL
REVENUE CODE**

1. Recitals.

- a. The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the County for project expenditures made by the County prior to the date of issuance.
- b. The Regulations generally require that the County make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued series of bonds within 60 days after payment of the expenditures, that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within the reimbursement period (as defined in the Regulations), and that the expenditures reimbursed be capital expenditures or costs of issuance of the bonds.
- c. The County desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

2. Official Intent Declaration.

- a. The County proposes to make original expenditures with respect to Construction and Remodel of Government Center (collectively, the "Project"), prior to the issuance of reimbursement bonds, and reasonably expects to issue reimbursement bonds for the Project in the maximum principal amount not to exceed \$10,215,000.00.
- b. Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f)(1) of the Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, the County will not seek reimbursement for any original expenditures with respect to the foregoing projects paid more than 60 days prior to the date of adoption of this resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the reimbursement bonds.

3. Budgetary Matters. As of the date hereof, there are no County funds reserved, pledged, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, pledged, allocated on a long term basis or otherwise set aside) to provide permanent financing for the original expenditures related to the projects, other than pursuant to the issuance of the reimbursement bonds. Consequently, it is not expected that the issuance of the reimbursement bonds will result in the creation of any replacement proceeds.

4. Reimbursement Allocations. The County's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the reimbursement bonds to reimburse the source of temporary financing used by the County to make payment of the original expenditures relating to the projects. Each reimbursement allocation shall be made within 30 days of the date of issuance of the reimbursement bonds, shall be evidenced by an entry on the official books and records of the County maintained for the reimbursement bonds and shall specifically identify the original expenditures being reimbursed.

Jessica Seibert, County Administrator reviewed and discussed Aitkin County's fund balance with the Board.

FUND BALANCE

Jessica Seibert, County Administrator discussed the Association of Minnesota's (AMC's) request for volunteers to serve on their summer policy committees:

**AMC SUMMER
POLICY
COMMITTEES**

- Courthouse Responsibilities
- SWCD
- No Net Gain of Public Lands

Commissioner Marcotte will participate in Courthouse Responsibilities, Commissioner Niemi expressed an interest in No Net Gain of Public Lands, and Commissioner Pratt requested additional information.

Motion by Commissioner Niemi, seconded by Commissioner Pratt and carried, all members voting yes to approve Environmental Assessment Worksheet (EAW) for distribution.

EAW

The Board discussed: NCLUCB, 4th of July celebrations, Library, Economic Development, Extension, Mille Lacs County, Tamarack City Council Mtg., LLCC, BSLA, Historical Society, Aitkin Airport, TZD, and Facilities.

**BOARD
DISCUSSION**

Motion by Commissioner Marcotte, seconded by Commissioner Pratt and carried, all members voting to close the meeting at 10:26 a.m. under MN Statute 13D.05 Attorney Client Privilege – Blandin vs. Aitkin County.

CLOSED SESSION

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting to reopen the meeting at 10:34 a.m.

REOPEN MEETING

Motion by Commissioner Marcotte seconded by Commissioner Pratt and carried, all members voting yes to approve the Stipulation to Settle Pending Litigation and Inter-County Agreement to Stipulation of Settlement (01-CV-11-375 et. al.), and to authorize signatures.

**BLANDIN VS.
AITKIN COUNTY**

Motion by Commissioner Niemi seconded by Commissioner Pratt and carried, all members voting to adjourn the meeting at 10:36 a.m. until Tuesday, July 25, 2017 at 9:00 a.m.

ADJOURN

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

Jessica Seibert, County Administrator