

The Aitkin County Board of Commissioners met this 9<sup>th</sup> day of October, 2018 at 9:01 a.m., at the Aitkin Public Library, with the following members present: Board Chair Anne Marcotte, Commissioners J. Mark Wedel, Laurie Westerlund, Don Niemi, Bill Pratt, County Administrator Jessica Seibert and Administrative Assistant Sue Bingham.

**CALL TO ORDER**

Motion by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to approve the October 9, 2018 amended agenda. Consent agenda Item 2E was pulled from the consent agenda and placed on the regular agenda. Items 4B and 6A were removed from the agenda and will be rescheduled at a later date.

**APPROVED AGENDA**

Motion by Commissioner Wedel, seconded by Commissioner Pratt and carried, all members voting yes to approve the amended Consent Agenda as follows: A) Correspondence File: September 25, 2018 to October 8, 2018; B) Approve County Board Minutes: September 25, 2018; C) Approve 2018 NE MN RAC By-Laws & Authorize Board Chair's Signature; D) Approve Electronic Funds Transfers: \$2,073,536.80; F) Adopt Resolution: Repurchase Application - Anhalt; G) Adopt Resolution: Repurchase Application – Christle; H) Adopt Resolution: Repurchase Application – Rogers; I) Approve Commissioner Warrants: General Fund \$137,069.30, Road & Bridge \$67,774.36, Health & Human Services \$7,660.49, Trust \$36,820.28, Forest Development \$25,736.80, Agency \$80.00, Taxes & Penalties \$10.00, Long Lake Conservation Center \$7,209.08, Parks \$5,292.44 for a total of \$287,652.75; J) Approve Auditor Warrants – Anderson Bros. Contract Payment: \$1,453,214.88; K) Approve August Manual Warrants: General Fund \$11,986.88, Road & Bridge \$31.38, Health & Human Services \$2,312.83, State \$66,228.16, Trust \$49.95, Forest Development \$172.99, Taxes & Penalties \$672.99, Long Lake Conservation Center \$1,855.01, Parks \$35.00 for a total of \$83,345.19

**CONSENT AGENDA**

Under the consent agenda, motion for a resolution by Commissioner Wedel, seconded by Commissioner Pratt and carried, all members voting yes to adopt resolution – Repurchase Application - Anhalt:

**WHEREAS**, Jeffrey L. Anhalt, 10430 215th St W, Lakeville, MN 55044, the owner at the time of forfeiture, 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  
20181009-068  
REPURCHASE  
APPLICATION -  
ANHALT**

26-0-043300 NW NE Less .09 ac hy & less the W33 ft Sec 27 Twp 46 Rge 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:
  - Loss of Valuable Property
  - Loss of Recreational Property

- I never received notice that the land was going to be forfeited. Not sure what happened. Maybe it was the mailcarrier. If I would have known I would have taken care of the taxes.
- b. The repurchase of said land by me will promote and best serve the public interest, because:

This land was bought so that elderly and handicapped people could have a place to enjoy the outdoors such as hunting and camping and not feel the pressures that they normally would on state land especially during hunting season. I would like to keep that as an option if possible. Thanks for taking time to consider.

**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 Jeffrey L. Anhalt 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 for a resolution by Commissioner Wedel, seconded by Commissioner Pratt and carried, all members voting yes to adopt resolution – Repurchase Application - Christle:

**WHEREAS**, Robert S. Christle 16503 55th St, Oak Park, MN 56357, the heir at the time of forfeiture, 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:

Sheshebe Point Third Addition Plat: 7 Lot 13 Block 45, Sec 27 Twp 49 Rge 23  
 Sheshebe Point Third Addition Plat: 7 Lot 15 Block 45, Sec 27 Twp 49 Rge 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:
  - My mother, Joyce D. Rasmussen willed to me, Robert S. Christle, her only child, the property described above. The delinquent property taxes were not disclosed to me until August of 2018.
- b. The repurchase of said land by me will promote and best serve the public interest, because:
  - Accepting payment of the delinquent taxes will result in immediate revenue for Aitkin County.

**AND WHEREAS**, this board is of the opinion that said application should be granted for such reasons.

**RESOLUTION  
 20181009-069  
 REPURCHASE  
 APPLICATION -  
 CHRISTLE**

**NOW, THEREFORE BE IT RESOLVED**, that the application of Robert S. Christle 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 for a resolution by Commissioner Wedel, seconded by Commissioner Pratt and carried, all members voting yes to adopt resolution – Repurchase Application - Rogers:

**WHEREAS**, Ronald G. and Amy S. Rogers of 356 Garfield Ave S, Montrose MN 55363, the owners at the time of forfeiture, 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:

Lots 5, 6 & 7 Block 17 Sheshebe Point Third Addition Plat: 7 Sect 27 Twp 49 Rge 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:

Between myself, and my sister, I lost track of the taxes being paid. When I talked to Lori Grams, my understanding was that all the money that I paid would be applied to the oldest year of delinquent taxes. This was my fault and I sincerely apologize. Please allow me to make this right.

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

I plan on building a seasonal cabin in the future, for my family and friends to enjoy and keep my taxes paid up to date.

**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 Ronald G. and Amy S. Rogers 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.

The County Board recognized the following Aitkin County employees for their years of service:

- Lisa Rakotz, 25 years, Sr. Assistant County Attorney in the Attorney’s Office
- Thomas Sanbeck, 30 years, Sr. Certified Appraiser in the Assessor’s Dept.
- Gregory Thornbloom, 35 years, Forest Inventory Specialist in the Land Dept.

**RESOLUTION  
20181009-070  
REPURCHASE  
APPLICATION -  
ROGERS**

**EMPLOYEE  
RECOGNITION**

Tim Terrill, Executive Director for the Mississippi Headwaters Board and Chris Pence, Board Conservationist for BWSR, gave a PowerPoint presentation to the Board on the Mississippi Headwaters Board Lakes Program.

**MISSISSIPPI  
HEADWATERS  
BOARD**

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – Rechtzigel Easement:

**WHEREAS**, David J. Rechtzigel and Jayne L Rechtzigel, Trustees of the Donald J. and Jayne L. Rechtzigel Living Trust of 3117 SE 19th Place, Cape Coral, FL 33904 has made application for a residential easement to his property, as follows:

**RESOLUTION  
20181009-071  
RECHTZIGEL  
EASEMENT**

Lots Nine (9), Ten (10), Eleven (11), and Twelve (12) of the Plat of “Bolen’s Fourth Addition to Lac Wiben,”

over and across the following tax forfeited land to wit:

The east 66 feet of the north 641.26 feet of said Northwest Quarter of the Southwest Quarter (NW-SW) less and except the north 50 feet thereof of Section 9 Township 46 Range 25.

**WHEREAS**, said applicant will be charged \$ 1,612.63 for the easement as appraised by the County Land Commissioner, and

**WHEREAS**, the following terms and conditions shall apply to this easement:

1. The road shall be constructed and maintained by the grantee or permittee without any cost to the County of Aitkin and shall be open for public use, as long as said easement is in force.
2. Any timber cut or destroyed shall be paid for at the usual rate as soon as determined by the Land Commissioner. (Timber within ROW has been included in the easement costs.)
3. Aitkin County manages County owned and tax-forfeited lands to produce direct and indirect revenue for the taxing districts. This management includes the harvesting and extraction of timber, gravel, minerals, and other resources. The issuing and use of this easement shall not adversely affect the management and harvesting of timber and other resources on County owned and tax forfeited land. If for any reason, including township or county road construction or reconstruction, the easement needs to be relocated, the county and township will not be responsible for any relocation costs.
4. Any such easement may be canceled by resolution of the County Board for any substantial breach of its terms or if at any time, its continuance will conflict with public use of the land, or any time thereof, on which it is granted, after ninety (90) days written notice, addressed to the record owner of the easement at the last known address.
5. Land affected by this easement may be sold or leased for any legal purpose, but such sale or lease shall be subject to this easement and excepted from the conveyance or lease, while such easement remains in force.

- 6. Failure to use the right of way described in this document for the purpose for which this easement is granted for a period of five years, shall result in the cancellation of this easement and any rights granted to the grantee by this easement shall cease to exist and shall revert to the grantor.
- 7. Road construction design and use shall not adversely affect the drainage of any lands. Best management practices for the protection of water quality must be followed.
- 8. All Federal, State, and local laws, ordinances rules, and regulations regarding wetlands, construction of road, placement of fill material, and disposal of excavated material shall be followed and are the responsibility of the grantee.
- 9. Upon termination of this easement, the grantee shall promptly remove all lines, wires, poles and other personal property and restore said lands to proper condition at no cost to the lessor. If the lessee fails to do so within 60 days of termination, the lessor shall have the right to remove said personal property and restore said land in which event the lessee shall promptly reimburse the lessor for all costs incurred plus 15%.
- 10. Any land survey markers or monuments, disturbed, moved or destroyed during the construction or maintenance of this easement area shall be replaced and restored at the expense of the applicant. If not replaced or restored by the applicant, the County may restore said monument and the applicant shall be responsible for all costs of said replacement and restoration plus 15%.
- 11. The existing forest access road may be temporarily gated or closed by the County or Minnesota Department of Natural Resources to protect the road and resources. This use restriction applies to all uses of the road including the grantee.

**WHEREAS**, the Aitkin County Land Commissioner, after making an investigation of such application, has advised that he finds no objection to granting such permit and easement.

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to Minnesota Statutes, Section 282.04, Subdivision 4, the County Auditor is hereby authorized to issue a residential easement to use said strip of land for a residential easement into their properties, if consistent with the law, and the special conditions set forth on the recorded easement, over and across the above described property.

Motion for a resolution by Commissioner Niemi, seconded by Commissioner Pratt and carried, all members voting yes to adopt resolution – Small City Development Project:

**BE IT RESOLVED** that Aitkin County act as the legal sponsor for the Small City Development Program project contained in the Application to be submitted by November 15, 2018 and that Jessica Seibert, Aitkin County Administrator is hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of Aitkin County, Minnesota, and

**BE IT FURTHER RESOLVED** that Aitkin County has the legal authority to apply for

**RESOLUTION  
20181009-072  
SMALL CITY  
DEVELOPMENT  
PROJECT**

financial assistance, and the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life, and

**BE IT FURTHER RESOLVED** that Aitkin County has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice, and

**BE IT FURTHER RESOLVED** that upon approval of its application by the State of Minnesota, Aitkin County may enter into an agreement with the State of Minnesota for the approved project, and that Aitkin County certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

**NOW, THEREFORE BE IT RESOLVED** that Jessica Seibert, County Administrator or successor in office, is hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project on behalf of Aitkin County.

Travis Fuechtmann from Contegrity Group and Bruce Schwartzman from BKV discussed change orders for the Government Center project and answered questions from the Board. Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve the change orders at a cost of \$160,861.81.

The Board discussed: Aitkin Airport, Budget Committee, DAC, McGregor Airport, NRAC, Lakes & Pines, ECRL, Facilities, MHB, TZD, Field Day at Palisade Farm, and Career Fair.

Motion by Commissioner Westerlund seconded by Commissioner Wedel and carried, all members voting yes to adjourn the meeting at 11:26 a.m. until Tuesday, October 23, 2018 at 9:00 a.m. at the Aitkin Public Library.

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Anne Marcotte, Board Chair  
Aitkin County Board of Commissioners

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Jessica Seibert, County Administrator

**GOVERNMENT  
CENTER CHANGE  
ORDERS**

**BOARD  
DISCUSSION**

**ADJOURN**