

The Aitkin County Board of Commissioners met this 28th day of January, 2020 at 9:00 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 Lynn Cox.

CALL TO ORDER

Pledge of Allegiance and moment of silence observed for former employee, Fritz Lueck.

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve the January 28, 2020 amended agenda. Agenda Item 7B was removed until more information is obtained.

**APPROVED
AGENDA**

**AITKIN COUNTY HEALTH & HUMAN SERVICES
BOARD MEETING MINUTES
January 28, 2020**

Attendance

The Aitkin County Board of Commissioners met this 28th day of January, 2020, at 9:01 a.m. as the Aitkin County Health & Human Services Board, with the following members present: Commissioners Anne Marcotte, J. Mark Wedel, Don Niemi, Laurie Westerlund, and Bill Pratt. Others present included: County Administrator Jessica Seibert, Cynthia Bennett ACH&HS Director, Accounting Supervisor Carli Goble, Kim Larson Adult Social Services Supervisor, Jessi Goble Financial Assistance Supervisor, Erin Melz Public Health Supervisor, Julie Herbst Child Support Supervisor, Assistant to the County Administrator Lynn Cox, H&HS Executive Assistant Shawn Speed, and Guests: Jennifer Eisenbart, Aitkin Independent Age.

**HEALTH &
HUMAN
SERVICES
BOARD**

Agenda

Motion by Commissioner Wedel, seconded by Commissioner Westerlund and carried, all members voting yes to approve the January 28, 2020 Health & Human Services Board agenda.

Minutes

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve the December 17, 2019 Health and Human Services Board minutes.

Bills

Carli noted that was nothing out of the ordinary for the monthly bills. Motion by Commissioner Wedel, seconded by Commissioner Niemi and carried, all members voting yes to approve the bills.

Health & Human Services Director Report, Cynthia Bennett, ACH&HS Director

Directors Update

Cynthia began by introducing Julie Herbst, the new Child Support Supervisor who came to us from Crow Wing County with 14 years of experience.

Next Cynthia went on to talk about MACSSA's legislative priorities. There are 19 position statements in nine categories, which are behavioral health, case management, child well-being, healthcare, housing and transportation, long-term services and supports, modernization, race equality, and self-sufficiency. Of those she felt there were three that

are paramount to our attention and two of those are in alignment with AMC's priorities.

The first was the SUDS reform enacted within the last year which has changed who can conduct comprehensive assessments as well as manage and coordinate the services. This left county employees out of the loop because they no longer met the criteria to conduct these. It also left most of the other CD assessors out of the loop too. This has created a gap in the workforce and we don't have enough people to provide this critical service. The proposal in the position statement is that the Commissioner of DHS shall, in consultation with county agencies, identify specific training, education, and experience requirements that would qualify individuals employed by counties who are not alcohol and drug counselors to perform comprehensive assessments and treatment coordination.

She went on to say they are proposing that the training be made available only to counties and not to for-profit outside providers this would allow counties have a training track to meet the need of the individuals in their communities.

The next area was the procurement process. The way the state processes procurement doesn't protect county-based purchasing. County-based purchasing should not be included in that process. Counties spent hours upon hours looking at all of the plans and determining community needs and then giving feedback to DHS, upon which they seem to randomly pick whomever they want. It feels like they are not taking county feedback and opinions into consideration.

Commissioner Marcotte inquired as to where we are now with this process?

Cynthia responded that DHS has delayed the process a year and we have not been given any direction as to how they were going to move forward from that and there is a statute that mandates the procurement process, but the interpretation of that and how it is applied is being questioned.

The last area is the modernization, which relates to the METS system modernization. The position states that DHS should provide counties with a system that works, that is reliable, that is upgraded, and kept modernized so that we can actually use the system for our benefit without the frustration that comes with using the current system.

Commissioner Pratt asked whether they were including the counties in the discussion on that. Cynthia said yes, there is a MACSSA workgroup that includes DHS and others on it.

Commissioner Marcotte inquired in to the monies that DHS claims we owe them due to their formula mistakes.

Carli Goble commented that we have gotten a little guidance on the cash assistance overpayments that were collected by the counties and state for clients who should not have had a collectable claim. We do not have a timeline for when they need to be looked at and completed however. We have received a little information about the SUDS miscalculation. Aitkin County owed around \$22,700 and they were going to apply that to our December bill, but we have not seen that yet. Last Board meeting, however, we were given support to notify DHS that we would not be paying these invoices.

Commissioner Niemi inquired as to whether that was what Governor Walz referred to when he said the counties should be held harmless.

Cynthia responded that yes and this is why it is important that it is an AMC legislative priority for HHS. Often times what happens, in HHS, is something comes up as a crisis we

learn about it, but it doesn't get resolved, then another issue comes up and we learn all about it and it doesn't get resolved. As a legislative priority it remains visible so it doesn't get forgotten.

Commissioner Pratt commented that basically DHS is saying they made a mistake and the counties have to take care of it instead of the state taking care of it.

Cynthia agreed with that statement. Commissioner Wedel commented that the Governor says we don't have to.

Cynthia went on to speak about the modernization of the HHS building and that she would cover more on this after Carli's fiscal report.

Approval of Re-Appointment for Members to the Health & Human Services Advisory Committee

Motion by Commissioner Wedel, seconded by Commissioner Westerlund and carried, all members voting yes to approve the re-appointment of Carole Holten, McGregor as a representative for Commissioner District 4.

Approval of Contracts/Agreements/Policies

Motion by Commissioner Westerlund, seconded by Commissioner Wedel and carried, all members voting yes to approve the WIC Agreement with Bethesda Lutheran Church of Malmo for January 1, 2020 through December 31, 2020.

Motion by Commissioner Wedel, seconded by Commissioner Niemi and carried, all members voting yes to approve the Medical Consulting Services Agreement with Dr. Donald Hughes for January 1, 2020 through December 31, 2020.

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve the Semi-Independent Living Services (SILS) Agreement with Woodview Support Services/Oakridge Homes, Inc. for January 1, 2020 through December 31, 2020.

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve the Guardianship/Conservator Services Agreement with Lutheran Social Services of Minnesota for January 1, 2020 through December 31, 2020.

Motion by Commissioner Wedel, seconded by Commissioner Westerlund and carried, all members voting yes to approve the Service Agreement with Phil Tange, LICSW for January 1, 2020 through December 31, 2020.

Motion by Commissioner Marcotte, seconded by Commissioner Wedel and carried, all members voting yes to approve the Detoxification Services Agreement with Northland Counseling Center, Inc. for January 1, 2020 through December 31, 2020.

Motion by Commissioner Wedel, seconded by Commissioner Niemi and carried, all members voting yes to approve the Semi-Independent Living Services (SILS) Agreement with Access North Center for January 1, 2020 through December 31, 2020.

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve the Employment Services Agreement with Arrowhead Economic Opportunity Agency (AEOA) for January 1, 2020 through December 31, 2020.

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all

members voting yes to approve the Child Support Program Interagency Cooperative Agreement with The State of Minnesota Department of Human Services, Child Support Division for January 1, 2020 through December 31, 2021.

2019 Fiscal Report, Carli Goble, Accounting Supervisor

Carli started by stating that she has been in contact with the Auditor's Office and believes that we have a good handle on finalizing 2019 expenditures and revenues and so she went on to present her presentation on those numbers, which was included in the packet the Board members received prior to the meeting.

During her presentation Carli mentioned that we have tentatively ended the year well with fewer than expected expenditures and more than expected revenues. HHS will not reduce the fund balance as anticipated and per our county policy on fund balance there may be opportunities to reserve some of those additional dollars for building improvements. Currently \$90,000 set aside for capital improvement projects for 2020 and future years.

The plan is to create a capital improvement project plan to assure that our building is kept maintained and functional. Jessica Seibert added that the process will include coming before the board as we work through the budget process, capital plan development and reserve requests. Upon completion of the audit process Cynthia, Jessica, and Kirk will sit down and talk about plans for using the fund balance for improvements and bring recommendations to the board at that time. There will be several opportunities to watch how the use of these funds get planned for.

Commissioner Pratt asked how much the numbers could change after the audit process is completed. Carli commented that they shouldn't change much.

Commissioner Marcotte commented that she would hope we take the opportunity, after space is freed up by other departments moving out of HHS and back into the Courthouse and Government Center, to really look at what we need for the future.

Cynthia added that she is very excited about the opportunity to look at this from a larger scope and take into account the current needs as well as the future needs of our consumers. Cynthia discussed the need for a comprehensive approach and credits the addition of Jim Bright with helping to alleviate some of the stresses that goes along with this type of project planning. We have a resource we have not had prior and I am excited about this. .

Commissioner Pratt hoped that during the remodel we take into consideration energy upgrades and other items that are now available to make it more user and client friendly. Cynthia assured him that all of that will be taken into account.

Committee Reports**HHS Advisory Committee Update**

Commissioner Wedel and Westerlund gave brief review of the committee meeting and its minutes are attached.

Commissioner Wedel added that he is very impressed with the direction the committee is taking.

CARE Board

Commissioner Westerlund gave an update on their last meeting. Cindy Chuhanic was added as a member of the Board. There was a discussion on the budget as things are going to be changing and there are a couple of people interested in working full-time for

CARE.

Commissioner Marcotte added that she hopes the board can take action sooner on funding for CARE and ANGELS. Whether both are needed or what needs to be done to best serve the citizens the best.

Commissioner Niemi agreed with her.

Lakes and Pines Update

Commissioner Niemi gave an update on their last meeting on January 27th. Nicole Bosner, housing rehabilitation public facilities project director, talked about the rehabbing of homes, connected properties in town. The big items right now are roofs and sewer issues. The weatherization program requires people to remain in their homes for 15 years for the cost to be forgiven. If it is a mobile home on your own property it is also 15 years, but if it is in a mobile home park the requirement is only 10 years.

He added that they had approved the contract between them and the county.

He went on to add that utility companies are required to do conservation measures in the areas that they serve, but don't have the capabilities to do so, so they use Lakes and Pines to do the weatherization program and then reimburse them for it.

Commissioner Wedel inquired whether or not Lakes and Pines funds steam removal of ice dams form roofs.

Commissioner Niemi commented that he was unsure of that, but would inquire into it and let him know.

The meeting was adjourned at 10:03 a.m.

Next Meeting – February 25, 2020

Break: 10:00 a.m. to 10:15 a.m.

Angie Baratto, Northland Counseling Center, introduced herself.

Motion by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to approve the Consent Agenda as follows:

- A)Correspondence File: January 7, 2020 to January 22, 2020;
- B)Approve County Board Minutes: January 7, 2019 – 1. End of 2019 Board, and 2. Beginning of 2020 Board;
- C)Approve Electronic Funds Transfers: \$1,317,621.64;
- D)Approve January 9 Manual Warrants: General Fund \$3,441.53; Health & Human Services \$2,634.50; Capital Project \$26.92; Long Lake Conservation Center \$64.94; Parks \$112.06;
- E)Approve Affidavit for Duplicate of Lost Warrant.
- F)Approve Auditor's Warrants for December 19, 2019 Settlement: \$340,321.60 Towns; \$199,863.55 Schools
- G)Approve Auditor Warrants – Sales & Use Tax: General Fund \$462.03, Road & Bridge

**HHS BOARD
ADJOURNS**

BREAK

**CITIZEN
COMMENT**

**CONSENT
AGENDA**

- \$2,457.43, Health & Human Services \$0.87, Trust \$32.17; Forest Development \$2.57; Long Lake Conservation Center \$57.82, for a total of \$3,012.89;
- H)Approve January Manual Warrants: General Fund \$296,816.24, Road & Bridge \$75,318.26, Special Revenue \$721.64; Health & Human Services \$5,305.16, Debt Service \$543,907.51; State \$105.00, Trust \$11,582.93, Forest Development \$4,727.83, Agency \$4,518.27; Capitol Project \$29,750.00; Long Lake Conservation Center \$9,119.61, Parks \$1,496.06 for a total of \$983,368.51
- I)Purchase of Election Equipment.
- J)Approve the purchase of a 1-ton truck for the Land Department.
- K)Approve new timber base prices for future sales.
- L)Adopt Resolution for ECPL Grant – Budcapping.
- M)Adopt Resolution for Repurchase of Forfeited Property – Anderson
- N)Adopt Resolution for a Donation for Veterans Services.
- O)Adopt Resolution for a Donation for K-9 Unit.
- P)Approve scheduling the County Board of Appeal and Equalization meeting to Tuesday, June 23, 2020 at 4:00.
- Q)Approve the Pay Equity Report
- R)Adopt Resolution for Final Contract Payment to Traffic Marking Service, Inc.
- S)Approve a Letter of Support for CCBHC.

 Under the consent agenda, motion for a Resolution by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to adopt resolution – Purchase Election Equipment.

WHEREAS, Minnesota counties are responsible for administering elections, which includes the purchase and maintenance of supplies and election equipment, including accessible voting equipment; and

WHEREAS, Minnesota last updated much of its' voting equipment between 2002 and 2006 meaning that the equipment is rapidly approaching the end of its' 10-15 year lifespan; and

WHEREAS, it's essential for precincts to have functioning voting equipment so that voters are able to cast their ballot on equipment that is secure, accessible, accurate, and reliable; and

WHEREAS, in 2019, an additional \$2 million was appropriated for the Voting Equipment Grant Account to assist counties, cities, towns, and school districts with the purchase of voting equipment; and

WHEREAS, to receive funding from the Voting Equipment Grant account, counties must submit an application to the Minnesota Secretary of State before January 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that Aitkin County approves its' application for funding from the Voting Equipment Grant; and

BE IT FURTHER RESOLVED, the County certifies that any funds awarded from the Voting Equipment Grant will be used only to purchase assistive voting devices (AVD), an electronic voting system, any individual component of an electronic voting system, or any other equipment or technology approved by the Secretary of State.

 Under the consent agenda, motion to approve purchase of 1-ton truck by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes.

**RESOLUTION
 #20200128-008
 PURCHASE
 ELECTION
 EQUIPMENT**

**1-TON TRUCK
 PURCHASE**

Under the consent agenda, motion to approve timber base prices by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes.

TIMBER BASE PRICE

Under the consent agenda, motion for a Resolution by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to adopt resolution – ECPL Budcapping

RESOLUTION #20200128-009 ECPL GRANT - BUDCAPPING

WHEREAS, the Aitkin County Board of Commissioners supports the grant application made to the Minnesota Department of Natural Resources for the Expedited Conservation Partners Legacy Grant Program. The application is to help fund tree protection for pine trees planted after the 2016 blow-down event, and

WHEREAS, The Aitkin County has the financial capability to meet the 10% match of non-state funds or in-kind resources,

THEREFORE, BE IT RESOLVED, IF Aitkin County is awarded the grant by the Minnesota Department of Natural Resources, Aitkin County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced acquisition. Aitkin County will comply with all applicable laws, environmental requirements, and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, that the Aitkin County Land Commissioner is hereby authorized to execute such agreements as are necessary to implement the project on behalf of Aitkin County.

Under the consent agenda, motion for a Resolution by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to adopt resolution – Repurchase Tax-Forfeited Property.

RESOLUTION #20200128-010 REPURCHASE TAX-FORFEITED PROPERTY

WHEREAS, Scott Anderson & Mary Anne Anderson, Husband and wife, 1614 3rd Ave NW, Rochester, MN 55901, the owners at the time of forfeiture, have 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:

SW of SW Less 5.73 Acres of Section Two (2), Township Forty-eight (48), Range Twenty-four (24), 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 have a buyer 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 Scott Anderson & Mary Anne Anderson 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 Marcotte and carried, all members voting yes to adopt resolution – Donation to Veteran’s Services.

**RESOLUTION
#20200128-011
DONATION TO
VETERANS SVS.**

WHEREAS, Aitkin County is generally authorized to accept donations of real and personal property with a 2/3 majority vote pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens.

WHEREAS, the following persons and entities have offered to contribute the cash amounts set forth below to the county:

<u>Name of Donor</u>	<u>Amount</u>
Aitkin County Republicans	\$145.00

WHEREAS, the terms or conditions of the donations, if any, are as follows:

<u>Name of Donor</u>	<u>Terms or Conditions</u>
Aitkin County Republicans	Used to assist Veterans in Aitkin Cty.

WHEREAS, all such donations have been contributed to the county for the benefit of its citizens, as allowed by law.

NOW THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners finds that it is appropriate to accept the donations offered.

Under the consent agenda, motion for a Resolution by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to adopt resolution – Donation to K-9 Unit.

**RESOLUTION
#20200128-012
DONATION TO K-
9 UNIT**

WHEREAS, Aitkin County is generally authorized to accept donations of real and personal property with a 2/3 majority vote pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens.

WHEREAS, the following persons and entities have offered to contribute the cash amounts set forth below to the county:

<u>Name of Donor</u>	<u>Amount</u>
Anonymous Donor	\$203.00

WHEREAS, the terms or conditions of the donations, if any, are as follows:

<u>Name of Donor</u>	<u>Terms or Conditions</u>
Anonymous Donor	Loki K-9 Fund

WHEREAS, all such donations have been contributed to the county for the benefit of its citizens, as allowed by law.

NOW THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners finds that it is appropriate to accept the donations offered.

Under the consent agenda, motion for a Resolution by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to approve scheduling the County Board of Appeal and Equalization meeting to Tuesday, June 23, 2020 at 4:00.

APPEAL & EQUALIZATION MEETING

Under the consent agenda, motion to approve the Pay Equity Report made by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes.

PAY EQUITY REPORT

Under the consent agenda, motion for a Resolution by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to adopt resolution – Final payment – Traffic Marking Services.

RESOLUTION #20200128-013 FINAL PAYMENT – TRAFFIC MARKING SVS.

WHEREAS, Contract No. 20195 has in all been completed, and the County Board being fully advised in the premises.

NOW THEN BE IT RESOLVED, that the Aitkin County Board of Commissioners does hereby accept said completed contract for and on behalf of the County of Aitkin and authorize final payment to Traffic Marking Service, Inc. in the amount of \$1,521.48.

AIS REPORT

Steve Hughes, SWCD, provided an update on 2019 AIS activities. 11,000 inspections were done in 2019, an increase from last year. 131 issues were identified, a decrease from previous years. Steve spoke on funding for inspectors, incentives that were used last year and the results.

Under the consent agenda, motion by Commissioner Wedel, seconded by Commissioner Marcotte to approve Letter of Support for CCBHC.

RESOLUTION #20200128-014 SNAKE RIVER WATERSHED MOA

Motion by Commissioner Westerlund, seconded by Commissioner Niemi, and carried, all members voting yes, to adopt the Resolution: Snake River Watershed Memorandum of Understanding.

This Agreement is made and entered into by and between:

The Counties of Aitkin, Kanabec, Mille Lacs and Pine by and through their respective County Board of Commissioners, and

The Aitkin, Kanabec, Mille Lacs and Pine Soil and Water Conservation Districts, by and through their respective Soil and Water Conservation District (SWCD) Board of Supervisors, and

The Snake River Watershed Management Board & Citizen Advisory Committee (SRWMB), by and through their respective Board Members, collectively referred to as the "Parties."

WHEREAS, the Counties of this Agreement are political subdivisions of the State of Minnesota, with authority to carry out environmental programs and land use controls, pursuant to Minnesota Statutes Chapter 375 and as otherwise provided by law; and

WHEREAS, the SWCDs of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out erosion control and other soil and water conservation programs, pursuant to Minnesota Statutes Chapter 103C and as

otherwise provided by law; and

WHEREAS, the Watershed Management Organizations of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out conservation of the natural resources of the state by land use controls, flood control, and other conservation projects for the protection of the public health and welfare and the provident use of the natural resources, pursuant to Minnesota Statutes Chapters 103B, 103D and as otherwise provided by law, and

WHEREAS, the parties to this Agreement have a common interest and statutory authority to prepare, adopt, and assure implementation of a comprehensive watershed management plan in the Snake River Watershed to conserve soil and water resources through the implementation of practices, programs, and regulatory controls that effectively control or prevent erosion, sedimentation, siltation and related pollution in order to preserve natural resources, ensure continued soil productivity, protect water quality, reduce damages caused by floods, preserve wildlife, protect the tax base, and protect public lands and waters; and

WHEREAS, with matters that relate to coordination of water management authorities pursuant to Minnesota Statutes Chapters 103B, 103C, and 103D with public drainage systems pursuant to Minnesota Statutes Chapter 103E, this Agreement does not change the rights or obligations of the public drainage system authorities; and

WHEREAS, the Parties have formed this Agreement for the specific goal of developing a plan pursuant to Minnesota Statutes § 103B.801, Comprehensive Watershed Management Planning, also known as One Watershed, One Plan;

NOW, THEREFORE, the Parties hereto agree as follows:

1. Purpose: The Parties to this Agreement recognize the importance of partnerships to plan and implement protection and restoration efforts for the Snake River Watershed (Attachment A). The purpose of this Agreement is to collectively develop and adopt, as local government units, a coordinated watershed management plan for implementation per the provisions of the Plan. Parties signing this agreement will be collectively referred to as the Snake River Watershed Partnership.
2. Term: This Agreement is effective upon signature of all Parties according to the Board of Water and Soil Resources (BWSR) Operating Procedures for One Watershed One Plan (version 2, March 28, 2018); and will remain in effect until 1-year after the term of the BWSR One Watershed, One Plan Planning Grant Agreement, unless cancelled according to the provisions of this Agreement or earlier terminated by law.
3. Adding Additional Parties: A qualifying party desiring to become a member of this Agreement shall indicate its intent by adoption of a board resolution prior to adate that is six months from the BWSR One Watershed, One Plan Planning Grant Agreement execution. The party agrees to abide by the terms and conditions of the Agreement; including but not limited to the bylaws, policies and procedures adopted by the Policy Committee.
4. Withdrawal of Parties: A party desiring to leave the membership of this Agreement shall indicate its intent in writing to the Policy Committee in the form of an official board resolution. Notice must be made at least 30 days in advance of leaving the Agreement. BWSR has identified the following parties as required parties for this agreement: Aitkin SWCD, Aitkin County, Kanabec SWCD, Kanabec County, Mille Lacs SWCD, Mille Lacs

County and Pine SWCD, Pine County. If one of the required Parties according to the BWSR Operating Procedures for One Watershed One Plan withdraws from this agreement, it does not make this MOA null and void. Should this occur, the remaining Parties will hold discussions with BWSR representatives regarding the reallocation or reassignment of duties, grant funds, and future projection of the project as a whole.

5. General Provisions:

- a. **Compliance with Laws/Standards:** The Parties agree to abide by all federal, state, and local laws; statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the facilities, programs, and staff for which the Agreement is responsible.
- b. **Indemnification:** Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized or limited by law and shall not be responsible for the acts of any other party, its officers, employees or agents. The provisions of the Municipal Tort Claims Act, Minnesota Statutes Chapter 466 and other applicable laws govern liability of the Parties. To the full extent permitted by law, actions by the Parties, their respective officers, employees, and agents pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity." It is the intent of the Parties that they shall be deemed a "single governmental unit" for the purpose of liability, as set forth in Minnesota Statutes § 471.59, subd. 1a(a). For purposes of Minnesota Statutes § 471.59, subd. 1a(a) it is the intent of each party that this Agreement does not create any liability or exposure of one party for the acts or omissions of any other party.
- c. **Records Retention and Data Practices:** The Parties agree that records created pursuant to the terms of this Agreement will be retained in a manner that meets their respective entity's records retention schedules that have been reviewed and approved by the State in accordance with Minnesota Statutes § 138.17. The Parties further agree that records prepared or maintained in furtherance of the agreement shall be subject to the Minnesota Government Data Practices Act. At the time this agreement expires, all records will be turned over to Kanabec SWCD for continued retention. After termination of this Agreement, the parties of this agreement shall continue to have access to the records created pursuant to this Agreement.
- d. **Timeliness:** The Parties agree to perform obligations under this Agreement in a timely manner as agreed upon by all parties and keep each other informed about any delays that may occur.
- e. **Extension:** The Parties may extend the termination date of this Agreement upon agreement by all Parties.
- f. This is a collaborative effort by the Parties and as such, no employees shall be hired as part of this planning project.

6. Administration:

- a. **Establishment of Committees for Development of the Plan.** The Parties agree to designate one representative, who must be an elected or appointed member of the governing board, to a Policy Committee for development of the watershed-based plan and may appoint one or more technical representatives to an Advisory Committee for development of the plan in consideration of the BWSR Operating Procedures for One Watershed, One Plan.
 - i. The Policy Committee will meet as needed to decide on the content of the plan, serve as a liaison to their respective boards, and act on behalf of their Board. Each representative shall have one vote.

- ii. Each governing board may choose one alternate to serve on the Policy Committee as needed in the absence of the designated member.
- iii. The Policy Committee will establish bylaws within 6 months of execution of this document to describe the functions and operations of the committee(s).
- iv. The Advisory Committee will meet monthly or as needed to assist and provide technical support and make recommendations to the Policy Committee on the development and content of the plan. Members of the Advisory Committee may not be a current board member of any of the Parties.

b. **Submittal of the Plan.** The Policy Committee will recommend the plan to the Parties of this agreement. The Policy Committee will be responsible for initiating a formal review process for the watershed-based plan conforming to Minnesota Statutes Chapters 103B and 103D, including public hearings. Upon completion of local review and comment, and approval of the plan for submittal by each party, the Policy Committee will submit the watershed-based plan jointly to BWSR for review and approval.

c. **Adoption of the Plan.** The Parties agree to adopt and begin implementation of the plan within 120 days of receiving notice of state approval and provide notice of plan adoption pursuant to Minnesota Statutes Chapters 103B and 103D.

7. **Fiscal Agent:** Mille Lacs SWCD will act as the fiscal agent for the purposes of this Agreement and agrees to:

- a. Accept all responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan.
- b. Perform financial transactions as part of grant agreement and contract implementation.
- c. Annually provide a full and complete audit report.
- d. Provide the Policy Committee with the records necessary to describe the financial condition of the BWSR grant agreement.
- e. Retain fiscal records consistent with the agent's records retention schedule until termination of the agreement (at that time, records will be turned over to Kanabec SWCD).

8. **Grant Administration:** Kanabec SWCD will act as the grant administrator for the purposes of this Agreement and agrees to provide the following services:

- a. Accept all day-to-day responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan, including being the primary BWSR contact for the One Watershed, One Plan Grant Agreement and being responsible for BWSR reporting requirements associated with the grant agreement.
- b. Provide the Policy Committee with the records necessary to describe the planning condition of the BWSR grant agreement.

9. **The following parties agree to provide the following services to the Snake River Watershed Partnership:**

- a. Kanabec SWCD: Project Coordinator
- b. Mille Lacs SWCD: Fiscal Agent, Administration
- c. Mille Lacs SWCD: Outreach Coordinator
- d. Pine SWCD: Notifications Coordinator
- e. Kanabec SWCD: Note Taker

Motion for a resolution by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all members voting yes to adopt resolution for Local Match for the Mille Lacs East ATV Trail with \$65,000 to come from the Economic Reserve Fund, Capital Improvement Purchases will be applied to the local match for grooming equipment, and \$15,000 contributed by the Mille Lacs ATV Club.

**RESOLUTION
#20200128-015
LOCAL MATCH
MILLE LACS ATV
TRAIL**

WHEREAS, Aitkin County has been awarded State Bonding Funds in the amount of \$1,500,000, from the 2018 bonding bill by the State of Minnesota for predesign, design, acquisition, and development of a trail to connect the Northwood's ATV trail system with the Mille Lacs-Malmo East community trail. The appropriation is not available until the commissioner of management and budget determines that \$150,000 has been committed to the project from non-state sources.

BE IT RESOLVED that Aitkin County has the legal authority to receive financial assistance, and financial capability to meet the match requirement and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that Aitkin County has secured the required \$150,000.00 in non-state funds for the local match. Aitkin County funds for the local match will be made available for project costs and expenses as incurred under the scope of this project.

BE IT FURTHER RESOLVED that Aitkin County has not incurred any acquisition or development costs.

NOW, THEREFORE BE IT RESOLVED that the Aitkin County Administrator is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the Aitkin County.

Motion to approve a Request for Proposals from Engineering firms for scoping, design and build services made by Commissioner Westerlund, seconded by Commissioner Marcotte. All members voting yes to approve motion.

**RFP FOR MILLE
LACS ATV TRAIL**

Motion to approve purchase of set of four Model WPLS-140 Lift System for a total of \$38,233 from Gray Manufacturing, Inc., including authorization to sell Unit #801 using an online auction service by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voting yes to approve motion.

**LIFT SYSTEM
PURCHASE**

Motion to approve entering into a contract with Bryan Hargrave for subsurface sewage treatment systems inspection services for year 2020 by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to approve motion.

**INSPECTION
SERVICES
CONTRACT**

Motion to approve Residential Waste Electronics Collection Event to be held on June 6, 2020 from 10:00 a.m. to 1:00 p.m. with a fee of \$10.00 per screen by Commissioner Wedel, seconded by Commissioner Westerlund and carried, all members voting yes to approve motion.

**WASTE
COLLECTION
EVENT**

Jessica Seibert, County Administrator, gave the following updates:

**ADMINISTRATOR
UPDATES**

- DHS conference call regarding prescription drug costs
- MACA Executive Committee Meeting

- Census meeting
- Interviews for new Office Support Specialist held last week. Position offered.

Committee Updates:

- Commissioner Niemi – East Central Regional Library; Arrowhead Regional Development Council; Arrowhead Counties Association
- Commissioner Marcotte – Natural Resources Advisory Committee; Mississippi Headwaters Board – Not attended; DNR Roundtable
- Commissioner Wedel – Toward Zero Deaths; Census Meeting; Water Planning Task Force – Not attended; CLA Audit
- Commissioner Westerlund – Health & Human Services Advisory Meeting; Rum River 1W1P Policy Committee
- Commissioner Pratt – Big Sandy Lake Management Plan; Natural Resources Advisory Committee; NE MN Emergency Communication Board; Snake River Watershed; 1W1P Intro meeting.

Motion by Commissioner Wedel seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 12:04 p.m. until Tuesday, February 11, 2020 at the Aitkin Public Library.

**COMMITTEE
UPDATES**

ADJOURN

Bill Pratt, Board Chair
Aitkin County Board of Commissioners

Jessica Seibert, County Administrator