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AITKIN COUNTY BOARD

November 10, 2020

The Aitkin County Board of Commissioners met this 10th day of November, 2020 at 9:01 a.m. at the Aitkin Government Center with the following members present: Board Chair William Pratt, Commissioners J. Mark Wedel, Donald Niemi, County Administrator Jessica Seibert, and Administrative Assistant Angie Sahr. The following members attended via Webex: Commissioners Anne Marcotte and Laurie Westerlund.

Motion made by Commissioner Niemi, seconded by Commissioner Westerlund and carried, all voting yes to approve the November 10th, 2020 agenda.

There was no Citizens' Public Comment

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

A) Correspondence File October 27, 2020 to November 9, 2020; B) Approve October 27, 2020 County Board Minutes; C) Approve Electronic Funds Transfers \$3,078,174.60; D) Approve Commissioner Vouchers: General Fund \$199,212.30, Road & Bridge \$37,306.55, Health & Human Services \$40,482.64, Trust \$3,110.83, Forest Development \$4,900.95, Capital Project \$17,300.92, Long Lake Conservation Center \$1,309.11, Parks \$2,601.85 for a total of \$306,225.15; E) Approve Auditor's Vouchers – IT Invoices: General Fund \$230.00; F) Approve Auditor's Vouchers: General Fund \$600.11, Road & Bridge \$8,819.38, Capital Project \$19,553.44, for a total of \$28,972.93; G) Approve Auditor's Vouchers – Contegrity Payments: Capital Project \$152,103.21; H) Approve Auditor's Vouchers – R&B Contract Payments, Elections Expenses: General Fund \$116.38, Road & Bridge \$926,703.68, for a total of \$926,820.06; I) Approve Manual Warrants/Voids/Corrections – Returned NSF Payment - Taxes: Taxes & Penalties \$485.00; J) Approve Manual Warrants/Voids/Corrections – Elan Paid 10/29/20: General Fund \$9,553.40; K) Approve Manual Warrants/Voids/Corrections – Electronic Chargeback, Taxes: Taxes & Penalties \$29.46; L) Approve Manual Warrants/Voids/Corrections – FSA Claims: General Fund \$4,400.40; M) Approve Manual Warrants/Voids/Corrections – Camping Refunds: Parks \$170.00; N) Approve Manual Warrants/Voids/Corrections – Returned Payment – Unable to Locate: Taxes & Penalties \$1,828.00; O) Approve Manual Warrants/Voids/Corrections – Elan Paid 10/15/20 - Allocated: General Fund -\$5,624.06, Road & Bridge \$180.00, Health & Human Services \$2,186.30, Trust \$232.48, Forest Development \$218.97, Capital Project \$2,753.90, Long Lake Conservation Center \$30.50, Parks \$21.91, for a total of \$0.00; P) Approve Manual Warrants/Voids/Corrections – October Participant Fees: General Fund \$755.55; Q) Approve Manual Warrants/Voids/Corrections – State General Tax: State \$875,872.97; R) Approve Manual Warrants/Voids/Corrections – Medical FSA Claims: General Fund \$134.12; S) Approve Transfer of Food from LLCC to Aitkin County Jail; T) Approve CPL Grand Land Acquisition; U) Approve Motion to Sell LLCC Tractor to MNBID; V) Adopt Resolution: Application to Repurchase Tax-Forfeited Property; W) Adopt Resolution: Application for Grant-in-Aid ATV Trail Maintenance Funds; X) Adopt Resolution: Approve Temporary Energy Easement;

Under the consent agenda, motion by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voted to approve – Transfer of Food from LLCC to Aitkin County Jail.

Call to Order

Approved Agenda

Citizens' Public Comment

Consent Agenda

Approve Transfer of Food from LLCC to Aitkin County Jail

Under the consent agenda, motion by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voted to approve – CPL Grant Land Acquisition.

CPL Grant Land Acquisition

Under the consent agenda, motion by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voted to approve – Motion to Sell LLCC Tractor to MNBID.

Motion to Sell LLCC Tractor to MNBID

Under the consent agenda, motion by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voted to adopt resolution: Application to Repurchase Tax-Forfeited Property.

Resolution #20201110-093 Application to Repurchase Tax-Forfeited Property

WHEREAS, James Priem, a purchaser of the property under contract for deed.

WHEREAS, James Priem 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:

Lot two (2) and four (4), Blk two (2) of Beverley Hills, according to the filed and recorded plat thereof, except that part of said Lot 4 which lies Northerly of the Southerly line of Lot One (1), Block Two (2) of said plat and its extension easterly, 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:

The lack of work because of layoff in winter and the weather not being cooperative, 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 James Priem 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 Wedel, seconded by Commissioner Marcotte and carried, all members voted to adopt resolution: Application for Grant-in-Aid ATV Trail Maintenance Funds.

Resolution #20201110-094 Application for Grant-in-Aid ATV Trail Maintenance Funds

WHEREAS, Local units of government can apply for State aide for trail development, maintenance, grooming and administration from the Minnesota Department of Natural Resources at the rate of 90% reimbursement of costs of grooming and maintenance, and

WHEREAS, Aitkin County does not have the facilities to maintain the entire trail system in Aitkin County, and

WHEREAS, Clubs wish to contract with the County for maintaining these trails, and

WHEREAS, These trails benefit the recreation, resort, tourism, industry, and economy of Aitkin County,

NOW THEREFORE, BE IT RESOLVED, That the Aitkin County Trail Administrator be authorized to apply for Grants in Aide assistance funds for All Terrain Vehicle Trail maintenance and grooming for the following trail:

Northwoods Regional ATV trail which consists of the following segments: South Soo Line, North Soo Line, Axtell ATV technical riding area, Rabey Line, Blind Lake, Redtop, Moose River Connector, Lawler, Blind Lake Connector Trail, Hill City Connector trail and Solana ATV trails.

BE IT FURTHER RESOLVED, That the Aitkin County Trail Administrator be authorized to contract for the development, maintenance and grooming of the aforementioned trails with qualified, interested clubs.

Under the consent agenda, motion by Commissioner Wedel, seconded by Commissioner Marcotte and carried, all members voted to adopt resolution: Approve Temporary Energy Easement.

WHEREAS, On December 11, 2018, the Aitkin County Board of Commissioners granted a utility easement, temporary work space, and temporary road access (20181211-081) to Enbridge Energy, Limited Partnership, with an office at 11 East Superior Street; Suite 125, Duluth, MN 55802 (Enbridge) for a right-of-way easement to survey, locate, construct, install, operate, maintain (including cathodic protection systems), clear, inspect (including aerial patrol and subsurface digging), reclaim, remove, protect, idle in place, repair, replace, relocate, change the size of and reconstruct a single pipeline, together with any associated valves, fittings, location markers and signs, communication systems and lines, utility lines, safety and protective apparatus, and all other equipment and appurtenances, whether above or below grade across the Aitkin County managed lands,

WHEREAS, Enbridge requests an additional 0.02 acres of temporary work space in Section 31, Township, 51N, Range 26W (E 0.4 Rods of SENE; PIN 20-0-050302),

WHEREAS, said applicant will be charged Additional Temporary Work Space costs of \$1,000.00, as appraised by the County Land Commissioner,

WHEREAS, said applicant has an Enbridge Additional Temporary Workspace Payment of \$1,000,

WHEREAS, said applicant will thus pay Aitkin County a total of \$2,000.

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,

WHEREAS, the Aitkin County Board of Commissioners resolved its support for Enbridge's proposed Line 3 Replacement Project, their preferred route, and their plan for deactivating the existing Line 3 (20170926-073),

**Resolution
#20201110-095
Approve
Temporary
Energy Easement**

WHEREAS, the Aitkin County Board of Commissioners recognized Enbridge for its longstanding performance and continual efforts to protect the environment, wildlife and habitats, as well as the people who live in the communities in which it operates (20170926-073),

NOW THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 282.04, Subdivision 4, the County Auditor be and is hereby authorized to issue to Enbridge Energy, Limited Partnership, with an office located at 11 East Superior Street; Suite 125, Duluth, MN 55802, an easement to use said described land, if consistent with the law, as in the special conditions set forth herein,

BE IT FURTHER RESOLVED, that said easement be granted, subject to the following terms, and conditions:

1. The utility infrastructure shall be constructed and maintained by the grantee or permittee without any cost to the County of Aitkin and the land area 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 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 part 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. Aitkin County manages the property for many purposes such as a motorized and non-motorized recreation trails, access to county managed and other lands for resource management purposes, including the harvesting of timber, extraction of gravel, peat, fill dirt, etc, and the mining and extraction of minerals. The issuing and use of this easement shall not adversely affect any other Aitkin County authorized uses of this strip of land.
8. After construction, the lessee shall mark the location of the utilities and shall return the land to the same condition as prior to issuing of the easement.
9. If the County shall make any improvements or changes on all or any part of its property upon which utilities have been placed by this permit, the utility owner shall, after notice from the County, change vacate, or remove from County

property said works necessary to conform with said changes without cost whatsoever to the County.

Jessica Seibert, County Administrator presented Senator Ruud & Representative Lueck to give a Legislative Policy Review.

Mike Dangers, County Assessor discussed with the Board – Short Term Rental Property Classification.

Mike Dangers, County Assessor discussed with the Board – Training for County Board of Appeal and Equalization.

Ross Wagner, Economic Development & Forest Industry Coordinator discussed with the Board – Proposed Revision to the Aitkin County ATV Ordinance. Remanded to ATV Committee to discuss public comment process.

Jessica Seibert, County Administrator presented to the Board – 3rd Quarter 2020 Budget Review

Jessica Seibert, County Administrator discussed with the Board – CARES Fund Discussion

Jessica Seibert, County Administrator updated the Board on the following:

- Budget Committee
- Policy Fellows
- COVID Related Updates

The Board discussed: East Central Regional Library, NClub, Extension, Mississippi Headwaters, Aitkin Airport Commission, Health & Human Services, Budget Committee, Toward Zero Deaths, Aquatic Invasive Species, HRA, McGregor Airport Commission.

Motion by Commissioner Wedel seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 11:17 a.m. until Tuesday, November 24, 2020 at the Aitkin County Government Center.

William Pratt, Board Chair
Aitkin County Board of Commissioners

Jessica Seibert
County Administrator

Legislative Policy Review – Senator Ruud & Representative Lueck

Short-Term Rental Property Classification

Training for County Board of Appeal and Equalization

Proposed Revision to the Aitkin County ATV Ordinance

3rd Quarter 2020 Budget Review

CARES Fund Discussion

Administrator Updates

Board Discussion

Adjourn