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AITKIN COUNTY BOARD

March 9, 2021

<p>The Aitkin County Board of Commissioners met this 9th day of March, 2021 at 9:01 a.m. at the Aitkin Government Center with the following members present: Board Chair J. Mark Wedel, Commissioners Laurie Westerlund, Donald Niemi, Anne Marcotte, Brian Napstad, County Administrator Jessica Seibert, and Administrative Assistant Angie Sahr.</p>	<p>Call to Order</p>
<p>Motion made by Commissioner Marcotte, seconded by Commissioner and carried, all voting yes to approve the March 9, 2021 agenda.</p>	<p>Approved Agenda</p>
<p>There was no Citizens' Public Comment</p>	<p>Citizens' Public Comment</p>
<p>Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve the Consent Agenda as follows.</p>	<p>Consent Agenda</p>
<p>A) Correspondence File February 23, 2021 to March 8, 2021; B) Approve February 23, 2021 County Board Minutes; C) Approve Electronic Funds Transfers \$642,880.48; D) Approve Commissioner Vouchers: General Fund \$130,677.80, Road & Bridge \$23,057.41, Special Revenue (Unorg R&b Fire) \$9,202.69, Health & Human Services \$3,148.37, State \$178.05, Trust \$45,064.16, Forest Development \$3,543.14, Agency \$134,026.00, Taxes & Penalties \$267.00, Capital Project \$562.01, Long Lake Conservation Center \$2,101.16, Parks \$58,641.91 for a total of \$410,469.70; E) Approve Auditor's Vouchers: General Fund \$316.73; F) Approve Manual Warrants/Voids/Corrections – Business Relief Grants: Coronavirus Relief Fund \$304,200.00; G) Approve Auditor's Vouchers – FSA Claims: General Fund \$1,422.05; H) Approve Manual Warrants/Voids/Corrections – FSA Claims, PEIP Monthly Fees: General Fund \$3,288.71; I) Approve Manual Warrants/Voids/Corrections – NSF Check: General Fund \$25.00, State \$90.00, for a total of \$115.00; J) Approve Manual Warrants/Voids/Corrections – Camping Refunds: Parks \$120.00; K) Approve Manual Warrants/Voids/Corrections – Camping Refunds: Parks \$120.00; L) Approve Recycling Agreement Extension; M) Approve Donation to Aitkin County Veteran Services; N) Approve Consumption & Display Permit – Minnewawa Sportsmen's Club; O) Approve Affidavit for Duplicate of Lost Warrant – Larry McNeff; P) Approve Affidavit for Duplicate of Lost Warrant – Douglas Althoff; Q) Approve Purchase of Bobcat Compact Tract Loader & Implements; R) Approve Purchase of Ford F150 4x4; S) Approve Human Trafficking JPA Amendment 1; T) Approve 2020 EMPG Grant; U) Adopt Resolution: Accepting Donation from the LLCF to LLCC; V) Adopt Resolution: STS Donation; W) Adopt Resolution: Utility Easement; X) Adopt Resolution: 2020 Annual Apportionment of Forfeited Tax Sales; Y) Adopt Resolution: Joint Powers Agreements; Z) Adopt Resolution: Award Contract No. 20213; AA) Adopt Resolution: Award Contract No. 20214; BB) Adopt Resolution: Pavilion Grant Resolution;</p>	
<p>Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Recycling Agreement Extension.</p>	<p>Recycling Agreement Extension</p>
<p>Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Donation to Aitkin County Veteran Services.</p>	<p>Resolution #20210309-039 Donation to Aitkin County Veteran Services</p>
<p>WHEREAS, Aitkin County is generally authorized to accept donations of real and</p>	

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:

Anonymous Private Party \$1,200.00

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

Anonymous Private Party Aitkin County Veteran Services

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 by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Consumption & Display Permit – Minnewawa Sportsmen’s Club.

Consumption & Display Permit – Minnewawa Sportsmen’s Club

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Affidavit for Duplicate of Lost Warrant – Larry McNeff.

Affidavit for Duplicate of Lost Warrant – Larry McNeff

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Affidavit for Duplicate of Lost Warrant – Douglas Althoff.

Affidavit for Duplicate of Lost Warrant – Douglas Althoff

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Purchase of Bobcat Compact Tract Loader & Implements.

Purchase of Bobcat Compact Tract Loader & Implements

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Purchase of Ford F150 4x4.

Purchase of Ford F150 4x4

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – Human Trafficking JPA Amendment 1.

Human Trafficking JPA Amendment 1

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to approve – 2020 EMPG Grant.

2020 EMPG Grant

Pursuant to the authority given to the undersigned County Auditor of Aitkin County, by the County Board of said County of Aitkin, as set forth in their resolution adopted by the County on March 9, 2021 to Lake Country Power of 26039 Bear Ridge Drive, Cohasset, MN 55721, a perpetual easement to construct and maintain a single-phase powerline utility easement across the following Aitkin County managed lands:

The easement is described as follows:

A 40-foot-wide easement for utility purposes over, under and across the following described property:

The Northwest Quarter of the Northeast Quarter, Section 13, Township 49 North, Range 22 West, of the Fourth Principal Meridian.

Said 40 foot wide easement lies 20 feet on each side of the following described centerline: Commencing at the South Quarter Corner of Section 11, Township 49 North, Range 22 West, of the Fourth Principal Meridian; thence North 89 degrees 23 minutes 27 seconds East, assumed bearing along the south line of said Section 11, a distance of 2671.72 feet to the section corner common to Sections 11, 12, 13 and 14; thence North 0 degrees 45 minutes 45 seconds East 34.00 feet; thence South 88 degrees 11 minutes 21 seconds East 1611.00 feet; thence South 75 degrees 10 minutes 00 seconds East 290.00 feet; thence South 87 degrees 58 minutes 30 seconds East 774.33 feet, more or less, to the west line of said Northwest Quarter of the Northeast Quarter, Section 13, and the point of beginning of the easement centerline to be described; thence continue South 87 degrees 58 minutes 30 seconds East 1333.54 feet, more or less, to the east line of said Northwest Quarter of the Northeast Quarter and said described centerline there terminating.

Sidelines of said 40-foot-wide easement shall be prolonged or shortened so as to begin and terminate on the east and west lines of said Northwest Quarter of the Northeast Quarter, Section 13. and,

WHEREAS, said applicant will be charged \$2,400 for the easement and timber charges as appraised by the County Land Commissioner, and

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 be and is hereby authorized to issue to Lake Country Power of 26039 Bear Ridge Drive, Cohasset, MN 55721, a perpetual easement to use said strips of 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 communication 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 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 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 old railroad right of way for many purposes such as a motorized and non-motorized recreation trail, 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. During construction and/or laying of the fiber optics line, the lessee shall keep the traveled area of the old railroad grade clear of slash, trees, and dirt mounds. The lessee shall post and sign the area where constructing so that other users of this trail on the old railroad right of way are notified and aware of the construction work.
9. After construction, the lessee shall mark the location of the fiber optics line and shall return the land to the same condition as prior to issuing of the easement.
10. 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.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: 2020 Annual Apportionment of Forfeited Tax Sales.

WHEREAS, pursuant to Minnesota Statute 282.08, County boards are authorized to set aside monies from the tax forfeited sale fund for timber and park development.

NOW, THEREFORE, BE IT RESOLVED, that in compliance with said law, that the County Board set aside thirty (30) percent of the remaining receipts are to be used for forest development and twenty (20) percent of these receipts remaining are to be used for the maintenance and development of County Parks or recreational areas, as defined in Minnesota Statute Section 398.31 to 398.36 to be expended under the supervision of the County Board.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Joint Powers Agreements.

WHEREAS, the County of Aitkin on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Aitkin, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Aitkin on behalf of its County Attorney and Sheriff are hereby approved.
2. That the Sheriff, Daniel Guida, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Undersheriff Heidi Lenk is appointed as the Authorized Representative's designee.

3. That the County Attorney, James Ratz, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Senior Assistant County Attorney Lisa Roggenkamp Rakotz is appointed as the Authorized

**Resolution
#20210309-033
2020 Annual
Apportionment of
Forfeited Tax
Sales**

**Resolution
#20210309-034
Joint Powers
Agreements**

Representative's designee.

- 4. That Mark Wedel, the Chair of the County of Aitkin, and Jessica Seibert, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Award Contract No. 20213.

WHEREAS, Contract No. 20213 is for construction of SAP 001-639-003, and

WHEREAS, sealed bids were opened for this project at 2:00 p.m. on Monday, March 1, 2021 with a total of four bids received, and

WHEREAS, Allied Blacktop Company - Maple Grove, MN - was the lowest responsible bidder in the amount of \$168,985.16.

NOW THEREFORE, BE IT RESOLVED, that Allied Blacktop Company be awarded Contract 20213.

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 Napstad, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Award Contract No. 20214.

WHEREAS, Contract No. 20214 is for construction of CP 001-090-037, and

WHEREAS, sealed bids were opened for this project at 2:00 p.m. on Monday, March 1, 2021 with a total of seven bids received, and

WHEREAS, Northwest Asphalt Maintenance - Thief River Falls, MN - was the lowest responsible bidder in the amount of \$93,637.50.

NOW THEREFORE, BE IT RESOLVED, that Northwest Asphalt Maintenance be awarded Contract 20214.

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 Napstad, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Pavilion Grant Resolution.

BE IT RESOLVED that Aitkin County act as legal sponsor for the project contained in the

**Resolution
#20210309-035
Award Contract
No. 20213**

**Resolution
#20210309-036
Award Contract
No. 20214**

**Resolution
#20210309-037
Pavilion Grant
Resolution**

Outdoor Recreation grant application to be submitted on _____ and that Rich Courtemanche is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Aitkin County.

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Outdoor Recreation Grant Program Manual and, upon discovery, certifies it will report to the state any actual, potential, or perceived individual or organizational conflicts of interest to the application or a grant award.

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

BE IT FURTHER RESOLVED that Aitkin County has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED that Aitkin County has or will acquire fee title or permanent easement over the land described in the site plan included in the application.

BE IT FURTHER RESOLVED that, upon approval of its application by the State, Aitkin County may enter into an agreement with the State for the above-referenced project, and that Aitkin County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED that THE LAND COMMISSIONER is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

Steve Hughes – SWCD District Manager gave an update to the board regarding Aquatic Invasive Species Program.

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voted to adopt resolution – Trunk Highway Detour Agreement 1046078;

BE IT RESOLVED, that Aitkin County enter into MnDOT Agreement No. 1046078 with the State of Minnesota, Department of Transportation for the following purposes:
To provide for payment by the State to the County for the use and maintenance of Aitkin County State-Aid Highway No. 11, County State-Aid Highway No. 15, and County State-Aid Highway No. 1 as a detour route during the construction to be performed upon, along and adjacent to Trunk Highway No. 210 from 0.4 miles east of the south junction of Trunk Highway No. 6 to 0.1 mile west of 9th Avenue Northwest in the City of Aitkin under State Project No. 1807-31 (T.H. 210 = 002).

BE IT FURTHER RESOLVED, that the Aitkin County Engineer is hereby authorized to execute the Agreement and any amendments to the Agreement.

Aquatic Invasive Species Program Update

Resolution #20210309-038 Trunk Highway 210 Detour Agreement 1046078

AITKIN COUNTY BOARD

March 9, 2021

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members present voted to approve Recycling Contract with Waste Management.

Recycling Contract with Waste Management

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members present voted to approve Mille Lacs Corporate Ventures Letter of Support.

Mille Lacs Corporate Ventures Letter of Support

Jessica Seibert – County Administrator, John Welle – County Engineer & Rich Courtemanche – Land Commissioner presented to the Board the 2020 Year End Budget Review

2020 Year End Budget Review

Jessica Seibert – County Administrator introduced Becky Sovde, Wetland Specialist who gave an update to the Board regarding the Quinstar Wetland Bank Proposed Project.

Quinstar Wetland Bank Discussion

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

Administrator Updates

- NACo Webinar
- Economic Development Meeting
- Blandin Broadband Program
- MACA Committee Meeting
- Labor Negotiations
- Recycling Center Closure

Board Discussion

The Board discussed: Mille Lacs Fisheries, AMC Indian Affairs Task Force, HRA, Development Achievement Center, Rum 1W1P Policy Committee, ATV Committee, NClub, Mississippi Headwaters Board, Natural Resources Advisory, MN Rural Caucus, East Central Regional Library

Adjourn

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to adjourn the meeting at 12:02 p.m. until Tuesday, March 23, 2021 at the Aitkin County Government Center.

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

Jessica Seibert
County Administrator