

# AITKIN COUNTY BOARD

November 9, 2021

<p>The Aitkin County Board of Commissioners met this 9<sup>th</sup> day of November, 2021 at 9:02 a.m. at the Aitkin Government Center with the following members present: Board Chair J. Mark Wedel, Commissioners Donald Niemi, Anne Marcotte, Brian Napstad, County Administrator Jessica Seibert, and Administrative Assistant Brittany Searle.</p>	<p><b>Call to Order</b></p>
<p>Motion made by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all voting yes to approve the November 9, 2021 agenda as amended adding 8C-Appoint MCIT Voting Delegates.</p>	<p><b>Approved Agenda</b></p>
<p>There was no Citizens' Public Comment</p>	<p><b>Citizens' Public Comment</b></p>
<p>Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows.</p>	<p><b>Consent Agenda</b></p>
<p>A) Correspondence File October 26, 2021 to November 8, 2021; B) Approve October 26, 2021 County Board Minutes; C) Approve Electronic Funds Transfers \$3,297,673.99; D) Approve Commissioner Vouchers: General Fund \$76,664.27, Road &amp; Bridge \$77,594.39, Health &amp; Human Services \$952.70, State \$8,325.00, Trust \$58,851.81, Forest Development \$2,887.26, Long Lake Conservation Center \$7,896.26, Parks \$17,983.52 for a total of \$250,885.21; E) Approve Auditor's Vouchers – R&amp;B Contracts: Road &amp; Bridge \$30,789.65, for a total of \$30,789.65; F) Approve Auditor's Vouchers – School Advance: Townships/Cities/ARDC/Ambulance \$1,397,443.42, for a total of \$1,397,443.42; G) Approve Auditor's Vouchers – R&amp;B Contracts, HR and IT: General Fund \$85,814.00, Road &amp; Bridge \$268,827.28, for a total of \$354,641.28; H) Approve Manual Warrants/Voids/Corrections – Camping Refund: Parks \$40.00, for a total of \$40.00; I) Approve Manual Warrants/Voids/Corrections – State General Tax &amp; Participant Fees October: General Fund \$702.82, State \$882,151.08, for a total of \$882,853.93; J) Approve Manual Warrants/Voids/Corrections – Returned Check, Unable to Locate Account: Taxes &amp; Penalties \$1,841.00, for a total of \$1,841.00; K) Approve Manual Warrants/Voids/Corrections – Elan Paid 10/14/2021: General Fund \$-4,561.94, Road &amp; Bridge \$2,837.83, HHS \$1,022.47, Trust \$194.98, LLCC \$506.66, for a total of \$0.00; L) Approve Manual Warrants/Voids/Corrections – Elan Statement, MN Care Tax, Returned Checks: General Fund \$3,408.60, HHS \$185.40, Tax &amp; Penalties \$3,737.00, for a total of \$7,331.00; M) Approve Manual Warrants/Voids/Corrections – Returned Checks: Tax &amp; Penalties \$1,341.00, for a total of \$1,341.00; N) Approve 2022-2027 Economic Development Strategic Plan; O) Adopt Resolution: LG230 Off-Site Gambling-Minnewawa Sportsmen's Club; P) Adopt Resolution: Benson Repurchase; Q) Adopt Resolution: Utility Easement; R) Adopt Resolution: Conant Repurchase; S) Adopt Resolution: STS Donation McGregor Lions Club.</p>	<p><b>2022-2027 Economic Development Strategic Plan</b></p>
<p>Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voted to approve – 2022-2027 Economic Development Strategic Plan.</p>	<p><b>2022-2027 Economic Development Strategic Plan</b></p>

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Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voted to adopt resolution: LG230 Off-Site Gambling-Minnewawa Sportsmen's Club.

**BE IT RESOLVED**, the Aitkin County Board of Commissioners agrees to approve the Application to Conduct Off-Site Gambling - Form LG230 - of the Minnewawa Sportsmen's Club at the following location – North of McGregor, MN on Hwy 65 and 5 miles East on Goshawk St. on Lake Minnewawa, McGregor, MN 56431– Shamrock Township. (Note: Date of activity for Raffle – February 12, 2022)

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voted to adopt resolution: Benson Repurchase

**WHEREAS**, Dennis M. Benson, taxpayer at the time of forfeiture.  
(Applicant)

**WHEREAS**, the Applicant 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:

Parcel #45-0-010700, Section 6, Township 47, Range 24  
NE NW Lot 11 Less Plat of Felknor's Shores and Less BN RR ROW as in Doc 365292

and **WHEREAS**, said Applicants 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 lost all my hunting land.

and **WHEREAS**, the Applicants have made payment of all delinquent taxes of properties

and **WHEREAS**, this board is of the opinion that said applications should be granted for such reasons,

**NOW, THEREFORE BE IT RESOLVED**, That the application of Dennis M. Benson 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

**Resolution  
#20211109-130  
LG230 Off-Site  
Gambling-  
Minnewawa  
Sportsmen's Club**

**Resolution  
#20211109-131  
Benson  
Repurchase**

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voted to adopt resolution: Utility Easement

**Resolution  
#20211109-132  
Utility Easement**

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 November 9, 2021 to Lake Country Power of 26039 Bear Ridge Drive, Cohasset, MN 55721, a perpetual easement to construct and maintain a single-phase overhead 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 South 40 feet of the North 55 feet of the West 100 feet of the East Half (E ½) of Government Lot Three (3), Section Four (4), Township Fifty-two (52) North, Range Twenty-six (26) West, of the Fourth Principal Meridian, according to the Government Survey thereof on file and of record in the office of the County Recorder, Aitkin County, Minnesota.

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.

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 Niemi and carried, all members voted to adopt resolution: Conant Repurchase

**WHEREAS**, Bryan Edward Conant et al, taxpayer at the time of forfeiture. (Applicant)

**WHEREAS**, the Applicant 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  
#20211109-133  
Conant  
Repurchase**

- A. UND 1/10 INT IN SE SW of Section 35 Township 48 Range 26. PID# 23-0-060900
- B. UND 1/3 INT IN LOT 1 of Section 3 Township 47 Range 26. PID# 31-0-004100
- C. UND 1/3 INT IN LOT 2 of Section 3 Township 47 Range 26. PID# 31-0-004600

and **WHEREAS**, said Applicants 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:

*Forfeiture of this land was the unfortunate result of miscommunication between our family with regards to who was responsible for paying the property tax.*

- B. That the repurchase of said land will promote and best serve the public interest because:

*Our land has been part of our family for over a century and we feel it is a vital part of our family heritage and connection with our ancestors.*

and **WHEREAS**, the Applicants have made payment of all delinquent taxes of properties

and **WHEREAS**, this board is of the opinion that said applications should be granted for such reasons,

**NOW, THEREFORE BE IT RESOLVED**, That the application of Dennis M. Benson 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 Napstad, seconded by Commissioner Niemi and carried, all members voted to adopt resolution: STS Donation McGregor Lions Club

**Resolution  
#20211109-134  
STS Donation**

**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:

McGregor Area Lions Club, Inc.	\$1,000.00
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**WHEREAS**, the terms or conditions of the donations, if any, are as follows:

McGregor Area Lions Club, Inc.	Aitkin County Sentence to Serve
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**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.

Chairman Mark Wedel – Aitkin County Employee Veteran’s Recognition

**Veteran’s Recognition**

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members present voted to Ratify L49 Agreement 2022-2024.

**Ratify L49 Agreement 2022-2024**

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members present voted to approve Community Development Block Grant CARE-21-0011-O-FY21.

**Resolution #2021109-137 Community Development Block Grant**

**WHEREAS**, Aitkin County has been awarded the Community Development Block Grant for Broadband Development. Aitkin County has been awarded \$4,823,654 from the State of Minnesota, acting through the Department of Employment and Economic Development, Business and Community Development Division

AND

**WHEREAS**, Townships that are targeted in the project are Idun, Pliny, Rice River, Seavey, White Pine, Williams and the City of McGrath. The project is required to be completed by April 2024.

**NOW, THEREFORE, BE IT RESOLVED**, that Aitkin County approves acceptance of the Community Development Block Grant # CARE-21-0011-O-FY21 equaling \$4,823,654.

**BE IT FURTHER RESOLVED**, the County authorizes the County Administrator to be the Aitkin County authorized representative for grant contract agreement # CARE-21-0011-O-FY21.

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members present voted to approve Fiscal Recovery Funds Request.

**Fiscal Recovery Funds Request**

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voted to adopt resolution – Award Contract No. 20221;

**Resolution #20211109-135 Award Contract No. 20221**

**WHEREAS**, Contract No. 20221 is for construction of S.A.P. 001-599-042, and

**WHEREAS**, sealed bids were opened for this project at 2:00 p.m. on Monday, October 18, 2021 with a total of seven bids received, and

**WHEREAS**, Kaski, Inc. - Duluth, MN was the lowest responsible bidder in the amount of

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\$289,827.90.

**WHEREAS**, Kaski, Inc.- Duluth, MN, upon further review of the project has requested to withdraw their bid and have their bid bond returned, and

**WHEREAS**, Marvin Tretter, Inc. – Pierz, MN was the second lowest responsible bidder in the amount of \$292,965.500

**NOW THEREFORE, BE IT RESOLVED**, that the bid from Kaski Inc. is hereby withdrawn.

**BE IT FURTHER RESOLVED**, that the bid bond received from Kaski Inc. is returned at no cost to Kaski Inc.

**BE IT FURTHER RESOLVED**, that Marvin Tretter, Inc. be awarded Contract 20221

**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.

Motion by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members voted to adopt resolution – Award Contract No. 20222;

**WHEREAS**, Contract No. 20222 is for construction of S.A.P. 001-618-005, and

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

**WHEREAS**, Redstone Construction LLC - Mora, MN was the lowest responsible bidder in the amount of \$970,990.60.

**NOW THEREFORE, BE IT RESOLVED**, that Redstone Construction LLC be awarded Contract 20222.

**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.

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members present voted to approve University of MN Extension Agreement and MOA.

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members present voted to approve the 2022 Aitkin County Legislative Priorities

**Resolution  
#20211109-136  
Award Contract  
No. 20222**

**University of MN  
Extension  
Agreement and  
MOA**

**Legislative  
Priorities**

# AITKIN COUNTY BOARD

November 9, 2021

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

- OSHA COVID-19 ETS-Comment deadline December 6, 2021
- Committee Meetings
- Regional FRF Call
- Negotiations
- Department Head Meetings

Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members present voted to approve appointment of Commissioner Laurie Westerlund as the MCIT Voting Delegate.

The Board discussed: Economic Development, Mississippi Headwaters Board, East Central Regional Library, Hill City Gardening, Community Corrections, LLCC, HHS Advisory and Aitkin Airport Commission.

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting yes to adjourn the meeting at 11:10 a.m. until Tuesday, November 23, 2021 at the Aitkin County Government Center.

**Administrator Updates**

**MCIT Voting Delegates**

**Board Discussion**

**Adjourn**

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

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Jessica Seibert  
County Administrator