

The Aitkin County Board of Commissioners met this 15th day of December, 2009 at 9:00 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Galen “Tweet” Tveit, Brian Napstad, Laurie Westerlund, Paul Bailey, County Administrator Patrick Wussow, and Administrative Assistant Nicole Visnovec.

Motion by Commissioner Napstad, seconded by Commissioner Tveit and carried, all members voting yes to approve the December 15, 2009 amended agenda.

Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to acknowledge the December 1, 2009 meeting minutes.

Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to acknowledge the December 1, 2009 budget hearing meeting minutes.

Motion by Commissioner Tveit seconded by Commissioner Napstad carried, all members voting yes, to approve the Consent Agenda as follows: Correspondence File: A) December 1, 2009 – December 14, 2009; B) Approve Minutes: November 24, 2009 Board; C) Approve Manual Warrants - General Fund \$26,468.93, Road and Bridge \$1,039,017.68, Health and Human Services \$1,253.21, State \$1,127,419.54, Forest Development \$99.98, Taxes and Penalties \$70,531.22, Long Lake Conservation Center \$314.74 for a total of \$2,265,105.30; D) Approve Duplicate of Destroyed Warrant – H&HS Warrant #80024 to Ruth Putnam in the amount of \$29.40; E) Approve Resolution – Liquor License Renewals; F) Approve Resolution – Repurchase of Tax Forfeited Property Application; G) Approve Forest Carbon Evaluation Quotes; H) Approve University of Minnesota Contract Addendums; I) Removed for Discussion; J) Review Economic Development and Forest Industry Activity Report; K) 2009 Legislation Regarding Tax Amount of \$250.00; L) Approve Resolution – Final Contract Payment SAP 01-623-03; M) Approve Resolution – Final Contract Payment CP 01-62-02: a) Commissioner Warrants – General Fund \$76,045.57, Road and Bridge \$20,650.94, Special Revenue (Unorg R&B, Fire, Cemetary) \$625.69, Health and Human Services \$178.31, Debt Service \$366,875.00, State \$390.98, Trust \$1,845.85, Forest Development \$23,883.58, Agency \$16,527.21, Long Lake Convention Center \$4,097.92 for a total of \$511,121.05

Under the consent agenda a motion by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to approve liquor license renewals:

BE IT RESOLVED, The Aitkin County Board of Commissioners agrees to approve the following liquor licenses for a period from January 1, 2010 thru December 31, 2010:

“ON”, “OFF” and “SUNDAY” Sale:

Cuddler Enterprises Inc., d/b/a **Big Sand Bar Resort** – Workman Township
This establishment has an address of 51866 224th Place, McGregor, MN 55760

MacDonald Ent. of Malmo Inc., d/b/a **Castaways** – Lakeside Township
This establishment has an address of 32360 215th Lane, Isle, MN 56342

Eagle Point Lounge Inc., d/b/a **Eagle Point Lounge** – Shamrock Township
This establishment has an address of 49394 State Hwy 65, McGregor, MN 55760

CALL TO ORDER

**APPROVED
AGENDA**

**ACKNOWLEDGE
MINUTES**

**ACKNOWLEDGE
BUDGET HEARING
MINUTES**

**CONSENT
AGENDA**

**RESOLUTION
121509-114
LIQUOR LICENSE
RENEWALS**

Forestry Station Inc., d/b/a **Forestry Station** – Ball Bluff Township
This establishment has an address of 67807 State Hwy 65, Jacobson, MN 55752

RIPS HLI Inc., d/b/a **Horseshoe Lake Inn** – Shamrock Township
This establishment has an address of 48493 Lily Avenue, McGregor, MN 55760

MacDonald Enterprises Inc., d/b/a **The Landing** – Aitkin Township
This establishment has an address of 170 Southgate Dr., Aitkin, MN 56431

Phil’s Myr Mar Marina Inc., d/b/a **Phil’s Myr Mar Marina** – Hazelton Township
This establishment has an address of 44033 Conifer St., Aitkin, MN 56431

Bodway Properties Inc., d/b/a **Prairie River Retreat** – Shamrock Township
This establishment has an address of 51272 Lake Avenue, McGregor, MN 55760

“OFF” Sale

Klomar, LLC, d/b/a **Cave Liquors** – Hazelton Township
This establishment has an address of 22852 US Hwy 169, Aitkin, MN 56431

Under the consent agenda a motion for a resolution by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to approve the repurchase of tax forfeited property application:

WHEREAS, Jerry Terp, Jr, brother and power of attorney representative, 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:

Cedarosa 1st Addition – Lot Sixteen (16) Block One (1)

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:
 - Pamela Ann Terp has some mental health issues. She currently has a rep payee and the family was not aware that her property taxes were delinquent. Please see attached court documents as well. Pamela was also under “order of Commitment (1-20-2009). Pamela has had a very unfortunate life since she was twenty years old. She was in a horrible car accident and had major head injuries and we are lucky that she is alive. She has grown increasingly worse in the last ten years. Her family is very supportive and keeps a very close eye on her. We appreciate your considerations, and hope that you will approve this.
- b. The repurchase of said land by me will promote and best serve the public interest, because:

I, Jerry W. Terp, Jr. – Pamela’s brother will become the Power of Attorney for her land if we are able to secure back the property. I am currently her POA for healthcare. My plan will be then to have all tax invoices sent to me for payment so they will not become delinquent again. I plan to eventually sell her land and use the funds to provide financial security and for her additional needs. I would

**RESOLUTION
121509-115
REPURCHASE OF
TAX FORFEITED
PROPERTY
APPLICATION**

like to have all tax statement and any information pertaining to said property sent to my attention at my home address.

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 Jerry W. Terp, Jr. 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 a motion by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to approve the Forest Carbon Evaluation Quotes:

To SmartWood of Richmond, Vermont in the amount of \$6,484.00.

Under the consent agenda a motion for a resolution by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to approve The 2009 Legislation Regarding tax Amounts of Over \$250.00:

WHERE AS, Minnesota Statutes 279.01, subdivision 1, was amended in the 2009 Minnesota Legislative Session as follows:

Raises the tax amount on a parcel that provides for a second half installment of real property taxes from \$50 to \$250; and

WHERE AS, this legislation includes a provision allowing counties to permit owners with total taxes from multiple parcels exceeding this threshold to continue to make the two installment payments.

BE IT RESOLVED, that the Aitkin County Board of Commissioners does hereby allow for owners with total taxes from multiple parcels with the same taxpayer ID number exceeding \$250 to continue to make the two installment payments as currently allowed by law.

Under the consent agenda a motion for a resolution by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to approve Final Contract Payment for SAP 01-632-03:

WHEREAS, Contract No. 20082– Project No. S.A.P 01-632-03- Grading, Aggregate Base, and Bridge Replacement over the Tamarack River on CSAH No. 32 has in all been completed, and the County Board being fully advised in the premises,

NOW THEN BE IT RESOLVED, That we do hereby accept said completed projects for and in behalf of the County of Aitkin and authorize final payment to KGM Contractors, Inc. in the amount of \$60,539.86 as specified herein.

Under the consent agenda a motion for a resolution by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to approve Final Contract Payment for CP 01-62-02:

**FOREST CARBON
EVALUATION
QUOTES**

**RESOLUTION
121509-116
THE 2009
LEGISLATION
REGARDING TAX
AMOUNTS OVER
\$250.00**

**RESOLUTION
121509-117
FINAL CONTRACT
PAYMENT
SAP 01-632-03**

WHEREAS, Contract No. 20092– Project Nos. CP 01-62-02 and CP 01-90-14, - Grading, Aggregate Base, Bituminous Surfacing with Aggregate Stockpiles has in all been completed, and the County Board being fully advised in the premises,

NOW THEN BE IT RESOLVED, That we do hereby accept said completed projects for and in behalf of the County of Aitkin and authorize final payment to Roth Construction, Inc. in the amount of \$10,528.20 as specified herein.

The following citizens commented on the proposed resolution regarding biomass: Kevin Stromberg, Robert Harwarth, Keith Layne, Mark Goers, Jill Hyytinen, Georgia Johnson, Bob Nicko, Dick Lewis, and Connie Pettersen

Motion by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to remand the support of biomass resolution back to the Economic Development Committee to be changed and brought back to the Board in a minimum of a 3 month period.

Break from 9:56 am – 10:10 am

Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to close the meeting at 10:10 am under MN Statute 13D.03 Subd.1 (b), Labor Negotiations.

Motion by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to open the meeting at 11:15 a.m.

Scott Turner, Aitkin County Sheriff updated the Board on jail staffing.

Vicki Sellner, Attorney (Minerals) and Dave Dahl, Geologist, representing the Minnesota DNR informed the board on the DNR 2010 Metallic Mineral Lease Sale.

Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, roll call vote 3-2 (Napstad, Tveit) to rescind layoff notices.

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Napstad and carried, all members voting yes to approve to Adopt 2009 Ditch Fund Budget:

BE IT RESOLVED, the Aitkin County Board of Commissioners, County of Aitkin, do hereby set the following fund budgets for 2009:

<u>Fund/Account</u>	<u>Fund/Acct</u>	<u>Revenues:</u>	<u>Reserves:</u>	<u>Expenditures:</u>
Judicial Ditch 2	7-350	\$30		\$0
Co Ditch 5	7-353	\$0		\$0
Co Ditch 21	7-365	\$0		\$0
Co Ditch 24	7-351	\$0		\$2,400
Co Ditch 28	7-356	\$0		\$0
Co Ditch 30	7-352	\$70		\$0
Co Ditch 34	7-357	\$0		\$165.00
Co Ditch 36	7-358	\$0		\$0
Co Ditch 37	7-359	\$0		\$0

**RESOLUTION
121509-118
FINAL CONTRACT
PAYMENT
CP 01-62-02**

**PROPOSED
RESOLUTION TO
SUPPORT
BIOMASS**

BREAK

CLOSED SESSION

OPEN MEETING

JAIL STAFFING

**DNR METALLIC
MINERAL LEASE**

**AFFIRM/RESCIND
LAYOFF NOTICES**

**RESOLUTION
121509-119
A)ADOPT 2009
DITCH FUND
BUDGETS**

St Ditch 63	7-362	\$0	\$576
St Ditch 66	7-363	\$0	\$550
Co Ditch 2	7-367	\$0	\$0
Diversion Channel	7-373	\$21,012	\$2

A motion for a resolution by Commissioner Napstad, seconded by Commissioner Tveit and carried, all members voting yes to approve Transfer of Ditch Funds:

BE IT RESOLVED, that the County Auditor is hereby ordered to transfer the following sums of money from the ditch accounts to the County Road and Bridge fund. Monies to be transferred form the individual accounts of the ditch as given below. Purpose of this claim is to cover the expense of Assessment and Maintenance of ditches.

County Ditch 34	\$165.00
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A motion for a resolution by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve Transfer of Unorganized Township Road Funds:

BE IT RESOLVED, that the County Auditor is hereby ordered to transfer the following sums of money from the Unorganized Road and Bridge account to the County Road and Bridge fund. Monies to be transferred form the individual accounts of the Unorganized Townships as given below. Purpose of this claim is to cover the expense of snowplowing and repairing of road in the Unorganized Townships with county equipment.

Unorg Township	
52-22	\$1,650.00
45-24	\$4,824.18
47-24	\$21,973.02
52-24	\$11,847.50
50-25	\$22,624.00
51-25	\$4,516.80
52-25	\$6,581.96
50-26	\$2,270.87
48-27	\$25,685.60
49-27	\$39,870.88
50-27	\$240.00
51-27	\$0
52-27	\$2,648.94

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to approve to Adopt 2010 Unorganized Township Road & Bridge, Fire Fund, and Cemetery Budgets:

BE IT RESOLVED, that the following 2010 budgets be set for Unorganized Townships:

Revenues: Reserves: Expenditures:

**RESOLUTION
121509-120
B)TRANSFER OF
DITCH FUNDS**

**RESOLUTION
121509-121
C) APPROVE
TRANSFER OF
UNORGANIZED
TOWNSHIP ROAD
FUNDS**

**RESOLUTION
121509-122
D) ADOPT 2010
UNORGANIZED
TOWNSHIP ROAD
& BRIDGE, FIRE
FUND, AND
CEMETERY**

Unorganized Road and Bridge	\$40,000	\$40,000
Unorganized Fire Fund	\$18,300	\$18,300
Unorganized Cemetery	\$1,740	\$1,740

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to approve to Adopt 2010 Non-Levy Budgets:

BE IT RESOLVED, the Aitkin County Board of Commissioners, County of Aitkin, do hereby set the following fund budgets that are non-levy for 2010:

<u>Fund/Account</u>	<u>Revenues:</u>	<u>Reserves:</u>	<u>Expenditures:</u>
Law Library	\$30,000	\$10,100	\$40,100
County Development	\$290,000	(\$115,847)	\$174,153
Cons. Forf Tax Sales	\$0		\$0
Forfeit Tax Sales	\$1,300,500		\$1,300,500
Forest Resource	\$145,550	(\$39,514)	\$106,036
Reforestation	\$296,650	\$62,140	\$358,790
Memorial Forest	\$94,500	\$149,593	\$244,093
Forest Road	\$38,000	\$2,253	\$40,253
Gravel Pit	\$0		\$0
Missing Heirs	\$1,000		\$1,000
MCIT	\$25,000	\$40,000	\$65,000
Collaborative Grant	\$79,400	\$8,450	\$87,850
Environmental Trust	\$13,000	\$3,000	\$16,000
LLCC	\$669,429	(\$14,004)	\$655,425
LCMR	\$2,000	\$98,000	\$100,000

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Napstad and carried, all members voting yes to approve to Adopt 2010 Levy Budgets:

BE IT RESOLVED, that the Aitkin County Board of Commissioners hereby adopts the final property tax levy for taxes payable in 2010 for the following funds:

<u>FUND</u>	<u>LEVY</u>
Revenue Fund	\$4,192,147
Road and Bridge Fund	\$2,036,151
Health & Human Services Fund	\$2,538,043
Debt Service Jail Bond	\$420,212
Operation or Maintenance Costs Of a County Jail	\$1,812,646
Total:	\$10,999,199

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to approve to Adopt 2010 Budgets:

BUDGETS

**RESOLUTION
121509-123
E) ADOPT 2010
NON-LEVY
BUDGETS**

**RESOLUTION
121509-124
F) ADOPT 2010
LEVY BUDGETS**

BE IT RESOLVED, that the following 2010 budgets be set for the leviable funds of Aitkin County:

<u>Fund/Account</u>	<u>Revenues</u>	<u>Reserves</u>	<u>Expenditures</u>
General Fund	\$10,640,730	\$130,597,	\$10,883,827
Road and Bridge	\$9,020,632	\$685,800	\$9,706,432
Health & Human Service	\$6,052,219	\$213,680	\$6,265,899
Debt Service	\$442,575	(\$31,700)	\$410,875
Total:	\$26,156,156	\$1,110,877	\$27,267,033

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to approve to Adopt 2010 East Central Library Levy/Budget:

BE IT RESOLVED, that the amount of \$225,552 be budgeted and levied for the year 2010 for the East Central Regional Library.

A motion for a resolution by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to approve to Adopt 2010 Boat & Water Safety Budget:

BE IT RESOLVED, the Aitkin County Board of Commissioners approves the 2010 annual Boat and Water Safety Agreement budget in file in the Office of County Auditor in the amount of \$71,700 for a term January 1, 2010 to December 31, 2010.

	<u>Revenues</u>	<u>Co Share</u>	<u>Expenditures</u>
Misc. Receipts	\$1,700		
Boat & Water Grant	\$22,000		
Boat & Water Supply Grant	\$5,000		
Totals:	\$28,700	\$44,801	\$73,501

A motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the 2010 Appropriations to ASCS and Snake River Water Shed:

BE IT RESOLVED, that the budget and appropriation in the amount of \$102,355 be set for 2010 for the Aitkin County Soil and Water Conservation District and \$10,079 be set for the Snake River Watershed District.

**RESOLUTION
121509-125
G) ADOPT 2010
BUDGETS**

**RESOLUTION
121509-126
H) ADOPT 2010
EAST CENTRAL
LIBRARY
LEVY/BUDGET**

**RESOLUTION
121509-127
I) ADOPT 2010
BOAT & WATER
SAFETY BUDGET**

**RESOLUTION
121509-128
J) APPROVE THE
2010
APPROPRIATIONS
TO ASCS AND
SNAKE RIVER
WATER SHED**

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Bailey and carried, all members voting yes to approve to Acknowledge 2010 Arrowhead Regional Development Commission Levy:

BE IT RESOLVED, that the Aitkin County Board of Commissioners acknowledges the Levy for the Arrowhead Regional Development Commission for 2010 in the amount of \$46,578.00.

Motion by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to move the committee updates to the December 22nd board meeting.

Motion by Commissioner Tveit, seconded by Commissioner Napstad and carried, all members voting yes to adjourn the meeting at 12:34 p.m. until Tuesday, December 22, 2009 at 10:00 a.m.

**RESOLUTION
121509-129
K) APPROVE TO
ACKNOWLEDGE
2010 ARROWHEAD
REGIONAL
DEVELOPMENT
COMMISSION
LEVY**

**COMMITTEE
UPDATES**

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator