

The Aitkin County Board of Commissioners met this 14th day of April, 2009 at 9:02 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Galen “Tweet” Tveit, Laurie Westerlund, Paul Bailey, County Administrator Patrick Wussow, and Central Service Secretary Nicole Visnovec.

Motion by Commissioner Westerlund, seconded by Commissioner Tveit and carried, all members voting yes to approve the April 14, 2009 amended agenda.

Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to acknowledge the April 7, 2009 meeting minutes.

Motion by Commissioner Bailey seconded by Commissioner Tveit carried, all members voting yes to approve the Consent Agenda as follows: Correspondence File: April 7, 2009 – April 13, 2009; B) Approve Minutes: March 24, 2009 Board; C) Approve Final contract Payment for SAP 01-629-05; D) Approve 2009 County Auction Date of Friday June 5th; E) Approve Contract with Government Management Group; F) Committee of the Whole Meeting on Tuesday, April 28th at 1p.m.; G) Approve Commissioner Warrants – General Fund \$89,332.98, Road and Bridge \$74,756.89, Health and Human Services \$14,388.48, Ditch \$200.00, Trust \$3,536.28, Forest Development \$2,225.18, Long Lake Conservation Center \$2,703.25 for a Total of \$187,143.06; H) Manual Warrants – General Fund \$38,980.75, Road and Bridge \$154,440.83, Health and Human Services \$2,051.09, State \$42,616.29, Forest Development \$400.00, Agency \$91,922.00, Taxes and Penalties \$1,421.13, Long Lake Conservation Center \$899.36 for a Total of \$332,731.45.

Under the consent agenda Commissioner Bailey offered the following motion for a resolution, seconded by Commissioner Tveit and carried, all members voting yes to approve the following Final Contract Payment for SAP 01-629-05:

WHEREAS, Contract No. 20081- Project No. SAP 01-629-05- Aggregate Base, Bituminous Surfacing, and Aggregate Shouldering 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 Anderson Brothers Construction in the amount of \$47,248.66 as specified herein.

Felicia Forder and Jim Ravis, County residents update the board on the Master Gardeners Program that is run through the Extension office. Would like support through the County Board.

The Board heard a presentation from Lori Grams, Aitkin County Treasurer on the 1st Quarter 2008 Investment report. She indicated that interest rates are dropping as expected.

John Welle, County Engineer, brought to the Board a recommendation for the BWSR Resolution.

Commissioner Bailey offered the following motion for a resolution, seconded by Commissioner Westerlund and carried, all members voting yes to approve the following BWSR Resolution:

WHEREAS, Minnesota Rule 8420.0200 designates the Department of Natural Resources as the local government unit for projects that require a permit to mine under Minnesota Statutes 93.481, and

CALL TO ORDER

**APPROVED
AGENDA**

**ACKNOWLEDGE
MINUTES**

**CONSENT
AGENDA**

**RESOLUTION
041409-46
FINAL CONTRACT
PAYMENT
SAP 01-629-05**

**MASTER
GARDENERS**

**1ST QUARTER
REPORT**

**RESOLUTION
041409-47
RESOLUTION
REQUESTING
BWSR REVIEW OF
DNR WETLANDS**

WHEREAS, Minnesota Rule 8420.0105B requires that "state agencies shall coordinate with local government units when conducting activities in wetlands within the jurisdiction of the local government unit", and

WHEREAS, Executive Order 00-02 signed by Governor Jesse Ventura and continued by Governor Tim Pawlenty requires that "all responsible departments and agencies of the State of Minnesota shall protect, enhance, and restore Minnesota's wetlands to the fullest extent of their authority", and

WHEREAS, Minnesota Rule 8420.0230, Subp. 1 requires that "Within ten working days of receipt of an application for approval of a replacement plan for an activity affecting 10,000 square feet or more of total wetland impacts, the local government unit must send a copy of the application and an invitation to submit comments to members of the technical evaluation panel", and

WHEREAS, Minnesota Rule 8420.0230, Subp. 2 requires that "the local government unit decision shall be based on the replacement standards in parts 8420.0500 to 8420.0630, and on the technical evaluation panel's determination, if there is one, concerning the wetland function and resulting public values, location, size, and type of the wetland being altered", and further requires that "the local government unit shall consider and include the technical evaluation panel's recommendation, if there is one, to approve, modify, or reject the proposed replacement plan", and

WHEREAS, it has come to the attention of the Aitkin County Technical Evaluation Panel, as defined by Minnesota Rule 8420.0240, that wetland replacement sites in Aitkin County have been approved by the Minnesota Department of Natural Resources, acting as the local government unit, in violation of the pertinent sections of Minnesota Rule 8420 stated herein, and

WHEREAS, it has also come to the attention of the Aitkin County Technical Evaluation Panel that additional wetland replacement sites in Aitkin County are being considered for approval by the Minnesota Department of Natural Resources, also in violation of the pertinent sections of Minnesota Rule 8420 stated herein, and

WHEREAS, the Aitkin County Technical Evaluation Panel believes that the Department of Natural Resources is allowing wetland restoration credits beyond that allowed by Minnesota Rule 8420.0541, and

WHEREAS, Minnesota Rule 8420.0260 requires that "If the board has information that a local government unit is not following this chapter or the act in making exemption, no-loss, replacement plan, public road project notice reviews, wetland boundary, wetland type, or banking determinations, or if the local government unit does not have knowledgeable and trained staff with experience in wetland management, the board shall notify the local government unit in writing of its concerns", and

WHEREAS, Minnesota Rule 8420.0260 further requires the Board of Water and Soil Resources to place a moratorium on local government units' jurisdiction on wetland banking determinations if determinations are being made contrary to Minnesota law.

NOW THEREFORE, BE IT RESOLVED, that the Aitkin County Board of Commissioners hereby requests that the Minnesota Board of Water and Soil Resources take action as outlined in Minnesota Rule 8420.0260 to require the Minnesota Department of Natural Resources as the local government unit for projects that require a permit to mine under Minnesota Statutes 93.481 to comply with Minnesota Statutes and Rules.

REGULATION

Mike Dangers, County Assessor presented the 2009 Assessment Value Changes. The 2009 Assessments have been completed and the Local Board of Equalization meeting are about to begin.

Patrick Wussow, County Administrator reviewed the personnel committee’s recommendation not to hire for the Zoning Inspector at this current time. Terry Neff, reviewed his memo. Motion by Bailey, second by Tveit and carried, all members voting yes to approve the Personnel Committee recommendation to not fill the Zoning Inspector position.

During the meeting, the Board heard updates on the following committees: i) CMCC, ii) DAC, iii) Land Use Workshop, iv) Library Board.

Motion by Commissioner Tveit, seconded by Commissioner Westerlund and carried, all members voting yes to adjourn the meeting at 11:00 a.m. until Tuesday, April 21, 2009 at 9:00 a.m.

**2009 ASSESSMENT
VALUE CHANGES**

**AUTHORIZE
AMENDING
POSITION**

**COMMITTEE
UPDATES**

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator