

The Aitkin County Board of Commissioners met this 1st day of March, 2022 at 9:01 a.m. at the Aitkin Government Center with the following members present: Board Chair J. Mark Wedel, Commissioners Donald Niemi, Ann Marcotte, Brian Napstad, Laurie Westerlund, County Administrator Jessica Seibert, and Administrative Assistant Brittany Searle.

Motion made by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all voting yes to approve the February 22, 2022 agenda as amended: removing 9B, 2P and 2T.

**AITKIN COUNTY HEALTH & HUMAN SERVICES
BOARD MEETING**

Attendance

The Aitkin County Board of Commissioners met this 1st day of March 2022, at 9:01 a.m. as the Aitkin County Health & Human Services Board, with the following members present: Commissioners Anne Marcotte, Brian Napstad, J. Mark Wedel, Don Niemi, and Laurie Westerlund. Others present included: Health & Human Services Director Cynthia Bennett – via WebEx, Administrative Assistant to the H&HS Director Paula Arimborgo, Accounting Supervisor Carli Goble, County Administrator Jessica Seibert, Assistant to the County Administrator Brittany Searle, Adult Social Services Supervisor Kim Larson, Public Health Supervisor Erin Melz, Adult Social Services Social Worker Becca Person and other public guests.

Agenda

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members present voting yes to approve the March 1, 2022 Health & Human Services Board agenda as amended removing Item 4) Directors Update.

Minutes

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members present voting yes to approve the January 25, 2022 Health & Human Services Board minutes.

Bills

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members present voting yes to approve the bills.

Becca Person – Civil Commitment

MN Statute 253B covers civil commitment in MN

There are six types of civil commitment proceedings:

1. **Mentally Ill persons (MI)**
2. **Developmentally Disabled persons (DD)**
3. **Chemically Dependent persons (CD)**

Call to Order

Approved Agenda

Health & Human Services

- 4. **Persons Mentally Ill and Dangerous to the Public (MI&D)**
- 5. **Sexual Psychopathic Personalities (SPP)**
- 6. **Sexually Dangerous Persons (SDP)**

Persons Committed as Mentally Ill and Dangerous can be committed to secure treatment settings or AMRTC or St. Peter depending upon the level of offense.

Persons Committed as Sexual Psychopathic Personalities and Sexually Dangerous Persons can be committed to MSOP after serving their prison sentences for sex offender treatment purposes. Aitkin County currently has 15 under commitment, which includes the 4 at MSOP/St. Peter.

Becca explained the following to the Board:

- How the commitment process starts
- Prepetition Screening Process/Court Process
- Possible outcomes of commitment hearings
 - Dismissal
 - Stayed Order of Commitment
 - Commitment

Length of commitments are generally up to 6 months, but can be extended for up to an additional 1 year for good cause. Entire process would need to be pursued if additional time is needed after an extension.

- Court Reports

Costs to the county for commitments:

Charges not incurred by the counties are paid through a State grant.

--AMRTC: Daily rate \$1615 – (as long as patient meets acuity) 30 days covered at 100% by state grant; 31-until discharge county responsible for 20%/state grant responsible for 80%. If no longer meet acuity until discharge, the county is responsible for 100% of daily charges;

--CBHH: Daily rate \$1644 – (as long as patient meets acuity) entire stay is covered at 100% by state grant. If no longer meets acuity, the county is responsible for 100% of daily rate.

--Costs to county when/if patient no longer meets acuity but needs to remain hospitalized for Competency Restoration Programming subsequent to criminal charges.

Becca fielded several questions from the Commissioners with the biggest concern being the cost that the county incurs for these services. Has any legislation been introduced to take care of the situation from the state? Cynthia Bennett explained that it is a multi-pronged problem and that there is legislation in place and ongoing.

Contract/Appointment

2022 AEOA POS

Motion by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members present voting yes to approve the contract.

Approval of New Member to Aitkin County Health & Human Services Advisory Committee

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members present voting yes to approve the appointment of new AC H&HS Advisory Committee member Sara Bejcek.

Committee Updates

CHS Joint Powers Board Update – Commissioner Westerlund - elected officers, went through spending, mostly a re-organizational meeting.

AEOA Committee Update – Commissioner Westerlund - went through the financials and Audit, approved some grants and talked about the Head Start Program.

CARE Board Update – Commissioner Westerlund - went through financials, grief support Tool, talked about the many programs CARE has available, mask distribution, Community Meal-dessert scheduled for April 18th, they reviewed the By-Laws and made some changes, Always in need of money for transportation services and in need of volunteers to be drivers.

Brenda Butterfield

Brenda nominated Public Health Supervisor Erin Melz and her team for the MSSA Award and they won at both the regional and state levels. Erin and her team were awarded the Statewide MSSA Award for Outstanding Staff Achievement in January.

Erin Melz gave acceptance speech thanking all those involved to include her family, the Public Health team, Health & Human Services and various others.

The meeting was adjourned at 9:55 a.m. with a celebration of cake and beverages following.

Next Meeting – March 22, 2022

There was no Citizens' Public Comment

Citizens' Public Comment

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

Consent Agenda

A) Correspondence File February 8, 2022 to February 21, 2022; B) Approve February 8, 2022 County Board Minutes; C) Approve February 15, 2022 Committee of the Whole Minutes; D) Approve Electronic Funds Transfers \$921,248.64; E) Approve Commissioner Vouchers: General Fund \$129,131.32, Reserves Fund \$234.96, Road & Bridge

\$54,033.03, Special Revenue (Unorg R&B, Fire) \$1,444.73, Health & Human Services \$15,728.88, State \$9,255.00, Trust \$5,380.10, Forest Development \$3,153.24, Long Lake Conservation Center \$13,267.78, Parks \$3,020.28, for a total of \$234,649.32; F) Approve Auditor's Vouchers – Teamsters Insurance and AppXtender Licenses: General Fund \$74,923.60, Health & Human Services \$2,412.30, Trust \$697.40, for a total of \$78,033.30; G) Approve Auditor's Vouchers – Sales/Use and Diesel Tax: January 2022: General \$272.36, Road & Bridge \$4,770.26, Long Lake Conservation Center \$14.55, Parks \$160.18 for a total of \$5,217.35; H) Approve Auditor's Vouchers – Courthouse Steps: Reserves Fund \$72,580.00, for a total of \$72,580.00; I) Approve Auditor's Vouchers – Gas Tax Payments: Road & Bridge \$624,271.57, for a total of \$624,271.57; J) Approve Auditor's Vouchers – R&B Ferguson Final Payment: Road & Bridge \$2,810.92, for a total of \$2,810.92; K) Approve Manual Warrants/Voids/Corrections – ELAN Paid 01/20/22: General Fund \$-1,181.57, Health & Human Services \$518.16, Trust \$102.94, Long Lake Conservation Center \$182.47, Coronavirus Relief Fund \$378.00 for a total of \$0.00; L) Approve Manual Warrants/Voids/Corrections – FSA Claims 2021 #40102017: General Fund \$63.33, for a total of \$63.33; M) Approve Manual Warrants/Voids/Corrections – MN Care Tax, ELAN, Credit Card Fees: General Fund \$3,120.06, Health & Human Services \$111.05, Long Lake Conservation Center \$62.05, for a total of \$3,293.16; N) Approve Manual Warrants/Voids/Corrections – FSA Claims, MTG Reg, Deed Tax: General Fund \$680.44, State \$90,030.39 for a total of \$90,710.83; O) Approve Fiscal Recovery Funds Request Forms; P) Approve Joint Powers Agreement with DNR; Q) Adopt Resolution: STS Donation-Logan Township; R) Adopt Resolution: Support for Full Funding SCORE Grants to MN Counties; S) Adopt Resolution: 2021 Annual Apportionment for Forfeited Tax Sales; T) Adopt Resolution: Pavilion Grant; U) Adopt Resolution: Veteran Services Donation;

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voted to approve – Fiscal Recovery Funds Request Forms.

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voted to adopt resolution: STS Donation-Logan Township

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:

Logan Township	\$125.00
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WHEREAS, the terms or conditions of the donations, if any, are as follows:

Logan Township	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.

Fiscal Recovery Funds Request Forms

Resolution #20220222-025 STS Donation-Logan Township

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 Marcotte, seconded by Commissioner Napstad and carried, all members voted to adopt resolution: Support for Full Funding SCORE Grants to MN Counties

WHEREAS, Minnesota Statutes requires counties to manage MSW according to an established hierarchy; and

WHEREAS, Minnesota's counties have made investments in waste prevention and recycling systems; and

WHEREAS, counties with innovative ideas should be provided the requisite opportunity and flexibility to successfully implement those ideas so as to best serve their communities; and

WHEREAS, Minnesota's counties have continued to invest in waste reduction and recycling by imposing local taxes and/or fees; and

WHEREAS, the revenues the State is collecting via the solid waste management taxes have continued to grow while amounts sent to the counties have not increased proportionally; and

WHEREAS, Minnesota counties face significant market trends that will require innovative approaches to manage materials separated from solid wastes in order to adequately meet the growing and changing needs of citizens and businesses; and

WHEREAS, Minnesota has an opportunity to improve its waste reduction and recycling system through funding the counties investments in infrastructure and expanded operations; and

NOW, THEREFORE BE IT RESOLVED, that Aitkin County supports the state funding, by increased SCORE (Select Committee on Recycling and the Environment) grants, in amounts which fully utilize the solid waste management tax revenues for solid waste reduction, management activities, and improving our environment.

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voted to adopt resolution: 2021 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, the County Board set aside thirty (30) percent of the remaining receipts 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.

**Resolution
#20220222-026
SCORE Grants of
MN Counties**

**Resolution
#20220222-027
2021 Annual
Apportionment of
Forfeited Tax
Sales**

AITKIN COUNTY BOARD

March 1, 2022

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voted to adopt resolution: Veteran Services Donation

**Resolution
#20220222-028
Veteran Services
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 to cash amounts set forth below to the county:

Dale E Wayrynen American Legion Auxiliary, McGregor MN \$1,000.00

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

Dale E Wayrynen American Legion Auxiliary, McGregor MN

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 donations offered.

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members present voted to approve Personnel Policy-Update Early Retirement Health Insurance Incentive Policy.

**Personnel Policy-
Update Early
Retirement Health
Insurance
Incentive Policy**

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members present voted to approve motion to apply for General Community Project.

**Apply for General
Community
Project**

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members present voted to approve Big Sandy Plat.

Big Sandy Plat

Motion by Commissioner Napstad, seconded by Commissioner Niemi, roll call vote, motion passed unanimously to approve Resolution-Deny Citizen's Petition Requesting EAW for Gun Lake Campground.

**Resolution
#20220222-029
Deny Citizen's
Petition
Requesting EAW
for Gun Lake
Campground**

WHEREAS, a citizen's petition requesting the preparation for an Environmental Assessment Worksheet (EAW) for the proposed commercial planned unit development of "Gun Lake Family Campground" was submitted by Steve Massey with the Gun Lake Environmental Alliance on January 21, 2022 with 166 signatures. The petition was verified by the Minnesota Environmental Quality Board (EQB) and assigned to Aitkin County as the Responsible Governmental Unit (RGU) to decide on the need for an EAW on January 24, 2022; and

WHEREAS, no governmental approvals may be given to the project named in the petition, nor construction initiated, until the need for an EAW has been determined. Construction includes any activities which directly affect the environment, including the preparation of land. If the decision is to prepare an EAW, approval must be withheld until either a Negative Declaration of the need for an Environmental Impact Statement (EIS) is issued or an EIS is completed (per MN Rules 4410.3100); and

WHEREAS, the proposed campground of Gun Lake Family Campground includes 16.1 of useable acres, including utilizing 1130 feet of 1610 property owned shoreline on Gun Lake, which is classified as recreation Development Lake within Fleming Township, Aitkin County. The property address is listed as 43016 328th Place, Palisade MN (PID 08-0-027400). The developers, Mike and Jennifer Hagel, are proposing to create recreational vehicle campground for commercial development on the property consisting of 22 individual campsites within Tier 1 shoreland with no variances requested; and

WHEREAS, the project, as currently proposed, does not meet the mandatory threshold of an EAW according to MN rules 4410.4300, and therefore the decision on the need for an EAW is subject to the discretion of the Responsible Government Unit (RGU) as per MN rules 4410.1000 subpart 3, Item B.

Significant Environmental Impact Findings of the Aitkin County EAW Committee:

Findings against a Discretionary EAW:

Permanent Conversion. In accordance with MN Rules 4410.0200 Subp. 57 it is the RGU's determination whether the proposal fits the definition. "Permanent conversion" means a change in use of agricultural, naturally vegetated, or forest lands that impairs the ability to convert the land back to its agricultural, natural, or forest capacity in the future. It does not include changes in management practices, such as conversion to parklands, open space, or natural areas. A total 1130 of 1610 feet of shoreline being proposed for the Tier 1 campsites is less than 1320 feet mandatory EAW threshold of MN Rules 4410.4300 Subp. 36a. If warranted, this proposed commercial campground could be converted and restored, and nothing impairs the ability to do this in the future.

Potential Lake Users. Aitkin County Assessor's Office reports 150 parcels on Gun Lake with building values over zero. Adding 22 seasonal sites could bring potential lake users to an overall increase of 14.67%, which is not a substantial increase to the users of Gun Lake. As part of the Conditional use Permit process, the Aitkin County Planning Commission has the authority to attach conditions they deem necessary to protect health, safety and general welfare of the people and environment. Conditions regarding vegetation removal along the shoreline, number of mooring sites, solid waste disposal, sewage treatment, etc, can be placed on the permit if approved.

Conversion of Forestland. The alteration of the forest within Tier 1 shoreland will be regulated by the conditional use permit which will require screening, road setbacks, and strict adherence to the impervious surface percentages outlined by Aitkin County zoning ordinances. The proposal of 22 sites can certainly not be considered "high density" as it is 56% less than mandatory EAW threshold of 50. No material evidence has been presented that suggests that conversion of forestland to 22 campground sites will have potential for significant environmental effects or would impact the type, extent, or

reversibility of environmental effects or have any cumulative potential effect on Gun Lake.

Impact of Additional 22 Users to Lake. The proposed campground will entail approximately 12130 feet of a total 1610 feet of shoreline owned by proposer. Gun Lake has 292 acres of littoral (or shallow waters of 15 feet or less) of a total 711.9 total lake acres. Gun Lake 8.68 miles of shoreline with an average depth of 18 feet and maximum depth of 44 feet. The summer seasonal impact of 22 additional users will have little or no significant environmental effects to Fun Lake, and the DNR Public Access is evidence of this. Insufficient material evidence exists that the lake users from the proposed addition of 22 campsites, may have potential for significant environmental effects.

Drastic Altering of Land Surfaces. The proposed campground consists of 14.96% of an allowable 25% of total impervious coverage and will have little or no significant environmental impact to Gun Lake. Incidental turning radius compaction areas are likely but no evidence of a potential for significant environmental effects has been established. No material evidence has been presented to support the concern regarding impervious coverage and there is nothing unique about this project or this concern that cannot be addressed in the typical zoning process, by ongoing public regulatory authority, where environmental effects can be anticipated and controlled.

Infrastructure. The expressed concerns of impact to pine trees during installation of water, sewer, electrical lines, structures, and roads within campground are unfounded. The proposer is mindful of the value and beauty of trees and will be preserving more trees than is required by Aitkin County's green space requirement. The installation of septic holding tanks is an acceptable method of handling sewage. Not installing a drain field further protects ground water. No evidence has been provided that this method of handling sewage has the potential environmental effects. Concerns regarding proposed infrastructure can be addressed in the typical zoning process, by ongoing public regulatory authority, where environmental effects can be anticipated and controlled, and by requirements established or conditions imposed in the CUP and PUD application process.

Road. Fleming Township Board met to discuss concerns about 328th Place on February 9, 2022, and expressed no concerns with the proposal in relation to this township road. There is nothing unique about the road concerns presented in the EAW Petition, and no material evidence has been provided that cannot be addressed in the typical zoning process, by ongoing public regulatory authority, where environmental effects can be anticipated and controlled, and by requirements established or conditions imposed in the CUP and PUB application process.

Dock. No material evidence that a dock or moorage has potential for significant environmental impacts has been presented, which would impact the type, extent or reversibility of environmental effects or have any cumulative potential effect on Gun Lake. Lakeshore ownership includes the riparian right of an owner of shore land property to wharf a boat or install a dock, and the typical zoning process will adequately address any dock concerns. Concerns of impact to the shoreline have been raised about parking in the vicinity of the docking area for the campers/residents off-loading boating equipment. No evidence has been provided that the road, additional impervious area created, or dock area has the potential for significant environmental effect.

Campfires. Campfires are common around the lakeshore of Gun Lake and most cabin and homeowners fire pits are much closer to the lake than 100-foot setback that will be required for the proposed campground. No material evidence that campfires have the potential for significant environmental effects have been presented that would impact the type, extent, or reversibility of environmental effects or have any cumulative potential effect on Gun Lake.

Water Quality. There is noted but minimal concern as to a significant environmental effect, as the proposed area is flat in elevation to lake, with ample vegetation to act as a buffer, minimizing water run-of. Concern has also been noted regarding the project obtaining, constructing, and complying with the required NPDES (National Pollutant Discharge Elimination System) permit due to the project location and topography. While there is no evidence that this concern is valid, obtaining, constructing, and complying with the NPDES permit will be a condition of the CUP. The Committee recommends the project proposer immediately engage with an engineering firm to determine location and size of the permanent storm water runoff facilities as it may impact the proposed project and the CUP (if issued). The project proposer has stated that “upon approval of the conditional permit, a Stormwater Pollution Protection Plan (SWPP) will be made, and NPDES will be applied for the MPCA. The NPDES permit will be followed, and the construction site will be inspected by the county and/or the MPCA”

Effect on Wildlife. State agencies such as the DNR and MPCA participate in the zoning process, and the typical zoning process will give these agencies an opportunity to comment or raise concerns. The argument that wildlife species will be disturbed, displaced, and destroyed is unfounded. The potential habitat loss due to the project is minimal, and no different than during select logging operations when timber is trimmed or removed. There is no material evidence that this project is likely to have significant adverse effects on the overall population of any animal species.

Effect on Fish. No material evidence has been provided in support of impact to fish on Gun Lake. The DNR has stated to the Proposer that the DNR Fisheries biologists had no concerns in this regard and have no intention of objecting to the application for the initial 49 campsite proposal. Aitkin County has never designated any of Gun Lake a “sensitive shoreland.”

NOW, THEREFORE BE IT RESOLVED, based on information submitted in the project application, on the written submissions, and given all of the above findings, the project will not have the potential for significant environmental effects. Therefore, Aitkin County, as the responsible government unit, denies the citizen’s petition for an EAW for the proposed commercial planned unit development of “Gun Lake Family Campground.”

Jessica Seibert – County Administrator presented 2021 Year End Budget Review.

2021 Year End Budget Review

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

Administrator Updates

- LELS Negotiations
- OPIOID Settlement
- Regional FRF Call
- Architectural Contract-ATV Trails
- COTW-Survey sent to Commissioners

AITKIN COUNTY BOARD

March 1, 2022

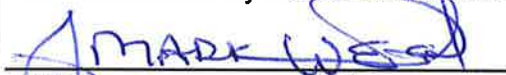
- Year End Budget Presentation Preparation
- MACA Update
- MACA Executive Committee-Strategic Planning
- House Bill Introductions- 1,219
- Senate Bill Introductions- 1,032
- AMC Leadership Conference

The Board discussed: Rum River 1W1P, AMC Board, Arrowhead Counties, Economic Development, NEMOJT, ARDC, Northeast MN ATP, Big Sandy Lake management Plan, Snake River Watershed, Aitkin County Water Planning Task Force.

Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to close the meeting at 12:11 p.m. under MN Statute 13D.03 for Labor Negotiations.

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to reopen the meeting at 1:47 p.m.

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 1:48 p.m. until Tuesday, March 8, 2022 at the Aitkin County Government Center.



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



Jessica Seibert
County Administrator

Board Discussion

**Close Meeting
under MN Statute
13D.03 for Labor
Negotiations**

Reopen Meeting

Adjourn