



Board of County Commissioners Agenda Request



Requested Meeting Date:

Title of Item:

<p>REGULAR AGENDA</p> <p>CONSENT AGENDA</p> <p>INFORMATION ONLY</p>	<p>Action Requested:</p> <p>Approve/Deny Motion</p> <p>Adopt Resolution (attach draft)</p> <p style="text-align: right;"><i>*provide copy of hearing notice that was published</i></p>	<p>Direction Requested</p> <p>Discussion Item</p> <p>Hold Public Hearing*</p>
<p>Submitted by:</p>		<p>Department:</p>
<p>Presenter (Name and Title):</p>		<p>Estimated Time Needed:</p>
<p>Summary of Issue:</p>		
<p>Alternatives, Options, Effects on Others/Comments:</p>		
<p>Recommended Action/Motion:</p>		
<p>Financial Impact:</p> <p><i>Is there a cost associated with this request?</i> Yes No</p> <p><i>What is the total cost, with tax and shipping? \$</i></p> <p><i>Is this budgeted?</i> Yes No <i>Please Explain:</i></p>		

CONSENT TO INTERIM ACCOUNTING, PROPOSAL FOR INTERIM DISTRIBUTION
AND RELEASE OF LIABILITY

Donald H. Nelson Trust

On behalf of Long Lake Conservation Center, I hereby state as follows:

1. I have reviewed the terms of the following documents:
 - a. Amendment and Restatement of the Donald H. Nelson Trust, executed on November 5, 2015;
 - b. Amendment Number One to the Amendment and Restatement to the Donald H. Nelson Trust, executed on January 26, 2017; and
 - c. Amendment Number Two to the Amendment and Restatement to the Donald H. Nelson Trust Agreement, executed on November 2, 2017(collectively, the "Trust").
2. I have no objection to the terms of the Trust and do not contest the validity of the Trust.
3. I have examined and consent to the following:
 - a. Interim Accounting for the Trust, dated June 20, 2023
 - b. Proposed Interim Distribution, dated June 20, 2023
4. I have authority to execute this Consent on behalf of Long Lake Conservation Center.
5. I hereby release, waive and discharge, Cynthia J. Huseth, as trustee of the Trust, from any and all claims, liabilities and causes of action, known or unknown, foreseen or unforeseen, of any kind or nature which arise out of her actions or inactions as trustee of the Trust, through June 20, 2023, which is the effective date of the above-referenced Interim Accounting and Proposed Interim Distribution.

Dated: _____

By: _____
Printed Name: _____
Title: _____

LAW OFFICES
OF
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JOHN M. OPHAUG (RETIRED)
PETER J. SCHMITZ (1940-2014)

June 27, 2023

Long Lake Conservation Center
ATTN: Dave McMillan
28952 438th Lane
Palisade, MN 56469

RE: Donald H. Nelson Trust
Our File No.: 13178

Dear Mr. McMillan:

I represent Cynthia J. Huseh, as trustee of the Donald H. Nelson Trust. Donald passed away on January 13, 2023, and his estate plan included a Revocable Trust which named Long Lake Conservation Center as a partial beneficiary. In the very near future, the trustee plans to distribute a substantial portion of the trust assets. A final smaller distribution would then be made after all of the tax returns have been filed and accepted and all of the remaining trust administration is complete. This final distribution will likely not occur until the fall of 2024.

The Donald H. Nelson Trust consists of three documents: (a) the Amendment and Restatement to the Trust, which was signed on November 5, 2015; (b) Amendment Number One, which was signed on January 26, 2017; and (c) Amendment Number Two, which was signed on November 2, 2017.

Pursuant to the terms of the Amendment and Restatement signed on November 5, 2015, Long Lake Conservation Center is to receive 3% of the residual assets of the Trust. As shown on the enclosed Proposal for Interim Distribution, the trustee is proposing to distribute the sum of \$330,000 to Long Lake Conservation Center as part of this upcoming interim distribution.

For your review, I have enclosed the following:

1. The three above-referenced documents which comprise the Donald H. Nelson Trust;
2. Interim Accounting for the Trust for the period commencing January 13, 2023 and ending June 20, 2023;
3. Proposal for Interim Distribution; and
4. Consent form.

After you have had a chance to review the enclosed documents, please feel free to contact me if you have any questions. If the enclosed documents are acceptable, then please sign and date the Consent form and return it to me by mail or email at the following address:

If returning by mail:

Ryan L. Blumhoefer
Schmitz, Ophaug, LLP
220 Division St. S.
Northfield, MN 55057

If returning by email: ryan@sodlaw.com

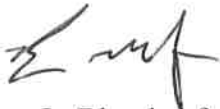
Once I have received the Consent forms back from all of the beneficiaries, then the trustee will proceed in making the distributions set forth in the enclosed Proposal for Interim Distribution.

Finally, in the very near future, the trustee will be seeking instructions from the Rice County district court as it relates to the proposed distribution in the Trust in favor of the Laurentian Environmental Center. As part of that proceeding, the trustee is required by Minnesota statutes to provide notice of the proceeding to all beneficiaries. There will be no need for you to respond to or be involved in the proceeding, but I wanted to make you aware that you will be receiving further correspondence about this soon.

I look forward to hearing from you.

Very truly yours,

SCHMITZ OPHAUG, LLP



Ryan L. Blumhoefer

Enclosures