

AITKIN COUNTY BOARD

July 10, 2012

The Aitkin County Board of Commissioners met this 10th day of July, 2012 at 9:02 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Patrick Wussow, and Administrative Assistant Sue Bingham.

CALL TO ORDER

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve the July 10, 2012 agenda.

APPROVED AGENDA

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: July 3, 2012 – July 9, 2012; B) Approve County Board Minutes: July 3, 2012; C) Approve Resolution – Election Judges; D) Approve June Manual Warrants: General Fund \$106,728.82, Road & Bridge \$12,000.00, Health & Human Services \$2,372.11, State \$138,115.98, Forest Development \$25,206.57, Taxes & Penalties \$6,313.96, Long Lake Conservation Center \$1,588.29 for a total of \$292,325.73; E) Adopt Local 49 LLCC Contract Ratification; F) Approve After the Fact Sale of County Owned Property; G) Approve Resolution – Local Road Improvement Program Grant S.P. 01-603-12; H) Approve Resolution – MnDot Intersection Conflict Warning; I) Approve Teamsters Non-Licensed Essential Unit Memorandum of Agreement; J) Accept \$50 Donation to Aitkin County Sheriff's POSSE – Persian Gulf Support Group

CONSENT AGENDA

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Election Judges:

BE IT RESOLVED, the Aitkin County Board of Commissioners appoints the following persons to serve as Election Judges for the Mail Balloting Precincts for the 2012 Primary and General Election:

RESOLUTION 071012-071 ELECTION JUDGES

Head Judges:

Kate LeClair
Elaine Hallbeck
Denise Lee
Sara Math
Roberta Elvecrog
Judith Blomberg

Election Judges:

Lucille Franzen
Jim Hicks
Debra Goble
Carla Emons
Jolene Gansen
Karen Ladd
Jacqueline Armstead
Paulette Anderson
Lori Tibbetts
Rich Courtemanche

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Verner Hixon
Nancy Eddy

Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve after the fact sale of eight used pieces of culvert on MnBID auction site - \$1,744.50.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Local Road Improvement Program Grant S.P. 01-603-12:

WHEREAS, the County of Aitkin has applied to the Commissioner of Transportation for a Grant from the Minnesota State Transportation Fund for construction of Local Road Improvement Project No. 01216, and

WHEREAS, the Commissioner of Transportation has given notice that funding for this local road improvement project is available, and

WHEREAS, the amount of the Grant has been determined to be \$375,000.

NOW, THEREFORE BE IT RESOLVED, that the County of Aitkin does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52 and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the road project, but not required.

NOW, THEREFORE BE IT RESOLVED, that the Aitkin County Engineer is authorized to execute the Agreement and any amendments to the Agreement.

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – MnDOT Intersection Conflict Warning:

WHEREAS, the intersection of U.S. Hwy 169/Trunk Highway 210 and Aitkin County State-Aid Highway 12/Aitkin County Road 83 has been identified by the Minnesota Department of Transportation for installation of an Intersection Conflict Warning System, and

WHEREAS, the Minnesota Department of Transportation has proposed to enter into Agreement No. 01472 with Aitkin County to facilitate construction and operation of this system.

NOW, THEREFORE, BE IT RESOLVED, that Aitkin County enter into Mn/DOT Agreement No. 01472 with the State of Minnesota, Department of Transportation to provide electrical energy for the new Intersection Conflict Warning System at the intersection of U.S. Hwy 169/Trunk Highway 210 and Aitkin County State-Aid Highway 12/Aitkin County Road 83, under State Project No. 8816-1765 (T.H. 210), within Aitkin County.

BE IT FURTHER RESOLVED, that the Aitkin County Engineer is hereby authorized to execute this Agreement and amendments to the Agreement.

**RESOLUTION
071012-072
LOCAL ROAD
IMPROVEMENT
PROGRAM
GRANT
S.P. 01-603-12**

**RESOLUTION
071012-073
MnDOT
INTERSECTION
CONFLICT
WARNING**

Bobbie Danielson, Human Resources Manager recognized employees for their years of service.

**EMPLOYEE
RECOGNITION**

Scott Turner, Sheriff gave the Board an update on the flood situation, and Terry Neff, Environmental Services Director discussed debris removal with Heidi Kroening, Minnesota Pollution Control Agency, Mike Buetow, Buetow Trucking/Excavating, and the Board.

FLOODING

Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried (4-1 Niemi), that the Aitkin County Board as the Animal Control Authority finds the evidence presented against the dog named "Tank" is sufficient. The Animal Control Authority therefore upholds the potentially dangerous dog designation.

**POTENTIALLY
DANGEROUS
DOG HEARING**

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Award Bid S.A.P. 01-632-04:

WHEREAS, S.A.P. 01-632-04 is a grading and aggregate base project on Aitkin County State-Aid Highway (CSAH) 32 from Aitkin CSAH 6 to Aitkin CSAH 31, and

**RESOLUTION
071012-074
AWARD BID
S.A.P. 01-632-04**

WHEREAS, sealed bids were opened for S.A.P. 01-632-04 at 2:00 pm on Friday, July 6, 2012, with a total of four bids received, and

WHEREAS, R. C. Habeck Excavating of Wahkon, MN was the lowest responsible bidder in the amount of \$1,304,309.24.

NOW THEREFORE, BE IT RESOLVED, that R. C. Habeck Excavating be awarded the contract for the grading and aggregate base on CSAH 32.

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 for a resolution by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Award Bid C.P. 01-090-23:

WHEREAS, C.P. 01-090-23 is a project to construct the timber wall portion of the Aitkin Salt Storage Shed with materials supplied by Aitkin County, and

**RESOLUTION
071012-075
AWARD BID
C.P. 01-090-23**

WHEREAS, sealed bids were opened for C.P. 01-090-23 at 3:00 pm on Monday, June 26, 2012 with a total of four bids received, and

WHEREAS, Bailey Construction of Stillwater, Minnesota was the lowest responsible bidder in the amount of \$63,500.

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NOW THEREFORE, BE IT RESOLVED, that Bailey Construction be awarded the contract for construction of C.P. 01-090-23.

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 voting yes to approve Right of Way Plat No. 17, S.A.P. 01-612-014.

John Welle, County Engineer provided an update to the Board on flood related road damage.

Break: 10:45 a.m. to 10:55 a.m.

Motion by Commissioner Niemi, seconded by Commissioner Marcotte and carried, all members voting yes to approve ATV Corridor Access Permit Policy.

Patrick Wussow, County Administrator discussed the Slow-No Wake Zone issues on Aitkin County lakes with the Board. Residents from area lakes voiced their concerns.

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June and July of 2012, record high water elevations prevail on all Aitkin County lakes, and

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high-water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 10th day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance, and

WHEREAS, the following three tiers have been identified for lake restrictions:

- No Wake on Entire Lake - 18" and above the Ordinary High Water levels (OHW)
- 300' No Wake Zone - 12" to 18" above the Ordinary High Water levels (OHW)
- No restrictions with respect to wake - Up to 12" above the Ordinary High Water levels (OHW)

**RIGHT OF WAY
PLAT NO. 17**

**FLOOD
RELATED ROAD
DAMAGE**

BREAK

**ATV CORRIDOR
ACCESS PERMIT
POLICY**

**SLOW-NO WAKE
ZONES**

**RESOLUTION
071012-076
TEMPORARY
AITKIN COUNTY
LAKES SLOW-
NO WAKE ZONE**

NOW THEREFORE, BE IT RESOLVED, the following lakes shall have a slow-no wake zone on the entire lake:

Lake Name	Township
Fleming	Fleming
Gun	Fleming
Horseshoe	Shamrock
Minnewawa	Shamrock
Wilkins	Fleming
Farm Island	Farm Island
Ripple	Nordland
Waukenabo	Waukenabo

BE IT FURTHER RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed for a distance of 300' from the shoreline on the following lakes:

Lake Name	Township
Cedar	Farm Island
Clear	Glen
Dam	Glen
Diamond	Farm Island
Elm Island	Nordland
Esquagamah	Waukenabo
Hammal – (Bass)	Farm Island
Hanging Kettle	Farm Island
Hill Lake	Hill Lake
Jenkins	Fleming
Long	Glen
Ripple	Nordland
Round	Waukenabo
Section 10 (Wladimiraf)	Nordland
Section 12	Nordland
Sissabagamah	Nordland
Sunset	Farm Island
Thornton (Thorton)	Farm Island
Townline	Farm Island

- i. The Aitkin County Board authorizes the Aitkin County Administrator to add or remove lakes from the no-wake lists as data is gathered.
- ii. The up-to-date lists will be maintained at the County's official website.
- iii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.

- iv. Resolution #070312-069 is suspended.
- v. This resolution is in effect from July 10, 2012 through July 14, 2012.
- vi. There are no restrictions with respect to wake on any Aitkin County lakes not listed above, except as already provided by Minnesota Statutes and the Aitkin County Watercraft Ordinance.

Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June and July of 2012, record high water elevations prevail on all Aitkin County lakes, and

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high-water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 10th day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance, and

WHEREAS, the following three tiers have been identified for lake restrictions:

- No Wake on Entire Lake - 18" and above the Ordinary High Water levels (OHW)
- 300' No Wake Zone - 12" to 18" above the Ordinary High Water levels (OHW)
- No restrictions with respect to wake - Up to 12" above the Ordinary High Water levels (OHW)

NOW THEREFORE, BE IT RESOLVED, the following lakes shall have a slow-no wake zone on the entire lake:

Lake Name Township

Fleming	Fleming
Gun	Fleming
Horseshoe	Shamrock
Minnewawa	Shamrock
Wilkins	Fleming
Farm Island	Farm Island
Ripple	Nordland
Waukenabo	Waukenabo

**RESOLUTION
071012-077
TEMPORARY
AITKIN COUNTY
LAKES SLOW-
NO WAKE ZONE**

BE IT FURTHER RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed for a distance of 300' from the shoreline on the following lakes:

Lake Name	Township
Cedar	Farm Island
Clear	Glen
Dam	Glen
Diamond	Farm Island
Elm Island	Nordland
Esquagamah	Waukenabo
Hammal – (Bass)	Farm Island
Hanging Kettle	Farm Island
Hill Lake	Hill Lake
Jenkins	Fleming
Long	Glen
Ripple	Nordland
Round	Waukenabo
Section 10 (Wladimiraf)	Nordland
Section 12	Nordland
Sissabagamah	Nordland
Sunset	Farm Island
Thornton (Thorton)	Farm Island
Townline	Farm Island

- i. The Aitkin County Board authorizes the Aitkin County Administrator to add or remove lakes from the no-wake lists as data is gathered.
- ii. The up-to-date lists will be maintained at the County's official website.
- iii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.
- iv. Resolution #070312-069 is suspended.
- v. This resolution is in effect from July 15, 2012 through July 19, 2012.
- vi. There are no restrictions with respect to wake on any Aitkin County lakes not listed above, except as already provided by Minnesota Statutes and the Aitkin County Watercraft Ordinance.

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June and July of 2012, record high water elevations prevail on all Aitkin County lakes, and

**RESOLUTION
071012-078**

TEMPORARY AITKIN COUNTY LAKES SLOW- NO WAKE ZONE

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high-water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 10th day of July, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance, and

WHEREAS, the following three tiers have been identified for lake restrictions:

- No Wake on Entire Lake - 18" and above the Ordinary High Water levels (OHW)
- 300' No Wake Zone - 12" to 18" above the Ordinary High Water levels (OHW)
- No restrictions with respect to wake - Up to 12" above the Ordinary High Water levels (OHW)

NOW THEREFORE, BE IT RESOLVED, the following lakes shall have a slow-no wake zone on the entire lake:

Lake Name Township

Fleming	Fleming
Gun	Fleming
Horseshoe	Shamrock
Minnewawa	Shamrock
Wilkins	Fleming
Farm Island	Farm Island
Ripple	Nordland
Waukenabo	Waukenabo

BE IT FURTHER RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed for a distance of 300' from the shoreline on the following lakes:

Lake Name Township

Cedar	Farm Island
Clear	Glen
Dam	Glen
Diamond	Farm Island
Elm Island	Nordland
Esquagamah	Waukenabo
Hammal – (Bass)	Farm Island
Hanging Kettle	Farm Island
Hill Lake	Hill Lake

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Jenkins	Fleming
Long	Glen
Ripple	Nordland
Round	Waukenabo
Section 10 (Wladimiraf)	Nordland
Section 12	Nordland
Sissabagamah	Nordland
Sunset	Farm Island
Thornton (Thorton)	Farm Island
Townline	Farm Island

- i. The Aitkin County Board authorizes the Aitkin County Administrator to add or remove lakes from the no-wake lists as data is gathered.
- ii. The up-to-date lists will be maintained at the County's official website.
- iii. This resolution does not affect Resolution #060112-052 as identified for Big Sandy Lake and the associated area.
- iv. Resolution #070312-069 is suspended.
- v. This resolution is in effect from July 20, 2012 through July 24, 2012.
- vi. There are no restrictions with respect to wake on any Aitkin County lakes not listed above, except as already provided by Minnesota Statutes and the Aitkin County Watercraft Ordinance.

Patrick Wussow, County Administrator discussed flood related expenditures with the Board.

**FLOOD
RELATED
EXPENDITURES**

Bobbie Danielson, Human Resources Manager presented Personnel Committee Recommendation to the Board.

**PERSONNEL
COMMITTEE**

Jim Ratz, County Attorney discussed the concerns and need to fill the full time position of Assistant County Attorney. This is a budgeted position that is open due to a resignation. Motion by Commissioner Napstad, seconded by Commissioner Marcotte and carried (4-1 Westerlund), to authorize Human Resources to advertise and gather applications, but the decision to fill the position has been postponed until September.

**ASSISTANT
COUNTY ATTY
POSITION**

Jim Ratz, County Attorney discussed the need to hire a private attorney to help with two large cases. Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voting to authorize the County Attorney gather cost information and bring before the Board for approval at a later date.

PRIVATE ATTY

Break: 12:58 p.m. to 1:33 p.m.

BREAK

Kirk Peysar, Secretary/Treasurer Aitkin County Fair Board discussed the rescheduling of the 2012 Aitkin County Fair.

**COUNTY FAIR
RESCHEDULED**

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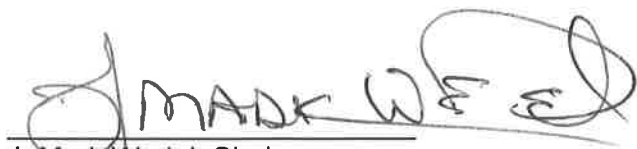
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During the meeting the Board discussed: i) Historical Society, ii) Airport, iii) DAC, iv) All Veterans Memorial Dedication, v) Snake River, vi) ECRL Finance Mtg, vii) Chappy's

**BOARD
DISCUSSION**

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 2:24 p.m. until Tuesday, July 24, 2012 at 10:00 a.m.

ADJOURN



J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners



Patrick Wussow, County Administrator