AGENDA

PINE COUNTY BOARD MEETING
District 1  Commissioner Hallan
District 2  Commissioner Mohr
District 3  Commissioner Chaffee
District 4  Commissioner Mikrot
District 5  Commissioner Ludwig

Tuesday, July 3, 2018
Board Room, Pine County Courthouse
Pine City, Minnesota

A) Call meeting to order

B) Pledge of Allegiance

C) Public Forum. Members of the public are invited to speak. After being recognized by the Chair, each speaker should state his/her name and limit comments to three (3) minutes.

D) Adopt Agenda

E) Approve Minutes of June 18, 2018 Pine County Board of Equalization

F) Approve Minutes of June 19, 2018 County Board Meeting and Summary for publication

G) Minutes of Boards, Reports and Correspondence
   East Central Regional Library Minutes – May 14, 2018
   Pine County Land Surveyor Monthly Report – June 2018
   Minnesota Public Utilities Commission – Notice of Comment Period

H) Approve Consent Items

CONSENT AGENDA
The consent agenda is voted on without any discussion. Any commissioner may request an item be removed and added to the regular agenda.

1. **June 2018 Disbursements**

2. **Application for Abatement**

3. **Repurchase of Tax Forfeited Land**
   A. Consider approval of Resolution 2018-35 for the repurchase of tax forfeited land on a 10-year contract for Stephen and Chay Brune. Authorize Board Chair and County Auditor to sign.
   B. Consider approval of Resolution 2018-36 for the repurchase of tax forfeited land in full for Richard J. and Diane L. Armstrong. Authorize Board Chair and County Auditor to sign.
4. **Electronic Transfer of Funds Policy and Procedure**  
Consider approval of the revised Pine County Electronic Transfer of Funds Policy and Procedure, last updated in 2011.

5. **Easement Agreement with City of Rock Creek**  
Consider approval of an Easement Agreement with the City of Rock Creek, for a five-year period (August 6, 2018 through August 5, 2023), for ingress and egress to access county-owned land for removal of gravel, sand and earthen materials. Authorize Board Chair and County Attorney to sign.

6. **Pine County Community Health Board Agent**  
Consider approval of Resolution 2018-34 appointing Community Health Services Administrator Samantha Lo as the agent of the Pine County Community Health Board, to act on the Community Health Board’s behalf. Authorize Board Chair and County Administrator to sign.

7. **Personnel/New Hire**  
Authorize the hiring of Office Support Specialist Samantha Robbins, effective July 23, 2018, $14.61 per hour, Grade 2, Step 1.

8. **Training**  
A. Authorize Social Services Supervisor Patrick Meacham to attend the MN Supervisors’ Conference, September 9-12, 2018 at Breezy Point, Minnesota. Registration: $60, Accommodations: $630 (includes meals), Mileage: approx. $155, Total cost: $845. Funds are available in the 2018 Health & Human Services budget.

B. Authorize Senior Property Appraiser Jennifer Christensen to attend the Minnesota Department of Revenue’s Professional Assessment Certification and Education Course on the Sustainable Forest Incentive Act and 2c Managed Forest Classification, July 30-31, 2018 in Grand Rapids, Minnesota. Course cost: $125 per person which includes meals, a county vehicle will be used, Accommodations: $93 plus tax. Total cost $218 plus tax. Funds are available in the 2018 Assessor’s budget.

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**REGULAR AGENDA**

1. **Technology Committee Report**  
The Technology Committee met June 26, 2018 (Minutes attached). The Technology Committee made the recommendation to reschedule the August 28, 2018 Technology Committee meeting to September 25, 2018 at 9:00 a.m. Other items are informational only.

2. **Insurance Committee Report**  
The Insurance Committee met June 27, 2018 (Minutes attached). Items are for informational purposes only.

3. **Introduction of Interim 4-H Program Coordinator**  
Introduction of Frank Moyer, Interim 4-H Program Coordinator.

4. **Hollers Point on Cross Lake Final Plat**  
Consider approval of the final plat of Hollers Point on Cross Lake and authorize the Board Chair, County Administrator, and County Attorney to sign the plat.

5. **Flood Update – Consideration of Emergency Declaration**
6. **Payments in Lieu of Taxes Class Action Lawsuit**
   Authorize Pine County to join the Class Action Lawsuit *Kane County, Utah v. United States*, Case nos. 17-739C and 17-1991-C and to authorize the County Administrator to serve as the county’s primary contact and complete the opt-in Notice Form and other paperwork that may be necessary.

7. **Award Contract #1802**
   Consider award of Contract #1802 to the lowest responsible bidder in the amount as determined by the County Engineer for the following:
   - SAP 058-653-011  Located on CSAH 53 Between CSAH 7 and CSAH 11
   - CP 058-106-003  Located on CR 106 between CSAH 2 and TH 70
   - CP 058-122-001  Located on CR 122 between CSAH 53 and CSAH 11
   - CP 058-133-001  Located on CR 133 between CR 134 and CSAH 15
   - CP 058-134-001  Located on CR 134 between CH 133 and TH 48

8. **Elk Management**
   Discussion.

9. **Commissioner Updates**
   - Law Library
   - Snake River Watershed
   - St. Croix Policy Committee (1W1P)
   - East Central Regional Development Commission
   - NLX
   - Central MN EMS
   - State Community Health Services Advisory Committee (SCHSAC)
   - Other

10. **Other**

11. **Upcoming Meetings (Subject to Change)**
    a. *Pine County Board Meeting, Tuesday, July 3, 2018, 10:00 a.m.*, Board Room, Courthouse, Pine City, Minnesota.
    b. *East Central Solid Waste Commission, Monday, July 9, 2018, 9:00 a.m.*, 1756 180th St., Mora, Minnesota.
    c. *Pine County Chemical Health Coalition, Monday, July 9, 2018, 3:00 p.m.*, Hinckley Finlayson High School, Hinckley, Minnesota.
    d. *Personnel Committee, Tuesday, July 10, 2018, 9:00 a.m.*, Commissioners’ Conference Room, Courthouse, Pine City, Minnesota.
    e. *Special Meeting-Committee of the Whole (PHASE and Highway Update), Tuesday, July 10, 2018, 1:00 p.m.*, Pine Habilitation and Supported Employment, 104 Main Street, Sandstone, Minnesota.
    f. *Soil & Water Conservation District, Thursday, July 12, 2018, 9:00 a.m.*, John Wright Building, 130 Oriole Avenue, Sandstone, Minnesota.
    g. *Lakes & Pines Community Action Council, Monday, July 16, 2018, 10:00 a.m.*, 1700 Maple Avenue East, Mora, Minnesota.
    h. *Pine County Board Meeting, Tuesday, July 17, 2018, 10:00 a.m.*, Pine County History Museum, 6333 H C Andersen Alle, Askov, Minnesota.
    i. *North Pine Government Center bid opening, Tuesday, July 17, 2018, 2:00 p.m.*, Board Room, Courthouse, Pine City, Minnesota.
j. **Facilities Committee, Wednesday, July 18, 2018, 9:00 a.m.,** Commissioners’ Conference Room, Courthouse, Pine City, Minnesota.

k. **Special Meeting-Committee of the Whole (Enviro Update, Review/Award NPGC Bids & Summer Food & Fun), Thursday, July 19, 2018, 9:00 a.m.,** Board Room, Courthouse, Pine City, Minnesota.

12. **Adjourn**
The Pine County Board of Equalization convened at 6:00 p.m., Monday, June 18, 2018 with members Commissioner Stephen Hallan, Commissioner Josh Mohr, Commissioner Steve Chaffee, Commissioner Matt Ludwig and Auditor-Treasurer Cathy Clemmer. Commissioner John Mikrot was absent. Also present was County Assessor Kelly Schroeder.

County Assessor Kelly Schroeder presented information regarding the valuation review process.

The following individuals attended the meeting and after careful consideration and discussion, the County Board of Equalization made the following adjustments and recommendations:

Gregory May, PID 22.0122.005, Norman Twp — requested the valuation of this property be reduced from $354,800 based on an outside appraisal determining a property value of $263,000 but did not have the appraisal available. Discussion primarily centered around the additional cabin located on his property being finished to the extent of being classified as non-homestead and therefore taxed at a higher tax rate.

Commissioner Mohr motioned that the County Board not make any changes to the valuation. Seconded by Commissioner Ludwig. Carried.

Ron and Marni Steltz of Steltz Properties LLC, PID 42.0217.002, City of Pine City — requested a decrease in valuation from $275,900 to approximately $217,000. Discussion concerned the uniqueness as well as the age and condition of the building.

Commissioner Hallan motioned that the County Board reduce the valuation from $275,900 to $223,100. Seconded by Commissioner Chaffee. Carried.

Paul Orsello, PID 13.5007.000, Finlayson Twp — is not the property owner and did not attend or send a letter to the Local Board of Review requesting a reduction of the valuation. As such, no County Board action was taken.

Commissioner Ludwig motioned to approve the attached list of Assessor recommended valuation changes after inspection of these properties following the Local Boards of Review: Motion was seconded by Commissioner Mohr and carried.

Chairman Stephen Hallan adjourned the meeting at 8:05 p.m.
<table>
<thead>
<tr>
<th>#</th>
<th>Parcel #</th>
<th>Owner Name</th>
<th>Original EMV</th>
<th>Adjusted EMV</th>
<th>$ Change</th>
<th>Original Class</th>
<th>New Class</th>
<th>Explanation of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>01.0083.000</td>
<td>Steven &amp; Scott Wieczorek</td>
<td>$200,400</td>
<td>$159,200</td>
<td>-$41,200</td>
<td></td>
<td></td>
<td>Physical review after local board, corrected condition of house, more low acres removed 3 old outbuildings</td>
</tr>
<tr>
<td>2</td>
<td>02.0223.003</td>
<td>Bill &amp; Carrie Kwok</td>
<td>$84,100</td>
<td>$57,100</td>
<td>-$27,000</td>
<td></td>
<td></td>
<td>Physical review after local board, corrected condition of house, room counts, and heat type</td>
</tr>
<tr>
<td>3</td>
<td>03.0158.000</td>
<td>Edward &amp; Kathleen Thompson</td>
<td>$82,400</td>
<td>$84,900</td>
<td>$2,500</td>
<td></td>
<td></td>
<td>Physical review per local board, added 26x32 pole building of used materials</td>
</tr>
<tr>
<td>4</td>
<td>03.0170.000</td>
<td>Hans Sundgaard</td>
<td>$165,600</td>
<td>$171,600</td>
<td>$6,000</td>
<td></td>
<td></td>
<td>Physical review per local board, added cabin and other misc. outbuildings</td>
</tr>
<tr>
<td>5</td>
<td>05.0048.000</td>
<td>Dwaine &amp; Joseph Bednar</td>
<td>$165,800</td>
<td>$139,700</td>
<td>-$26,100</td>
<td></td>
<td></td>
<td>Local Board member, increased low acres from 6.45 to 38</td>
</tr>
<tr>
<td>6</td>
<td>05.0069.000</td>
<td>Dwaine &amp; Colleen Bednar</td>
<td>$350,200</td>
<td>$321,100</td>
<td>-$29,100</td>
<td></td>
<td></td>
<td>Local Board member, increased low acres from 8 to 38 and corrected outbuilding dimensions</td>
</tr>
<tr>
<td>7</td>
<td>09.0175.000</td>
<td>Robert &amp; Condit Bouten</td>
<td>$61,900</td>
<td>$55,600</td>
<td>-$6,300</td>
<td></td>
<td></td>
<td>Adjusted site value due to limited access off trail</td>
</tr>
<tr>
<td>8</td>
<td>15.0323.002</td>
<td>Kevin &amp; Elizabeth Klar</td>
<td>$173,400</td>
<td>$148,700</td>
<td>-$24,700</td>
<td></td>
<td></td>
<td>Physical review after local board, corrected building features, and added 1.9 acres low ground</td>
</tr>
<tr>
<td>9</td>
<td>22.0122.005</td>
<td>Gregory &amp; Barbara May</td>
<td>$363,400</td>
<td>$354,800</td>
<td>-$8,600</td>
<td></td>
<td></td>
<td>Physical review after local board, amended quality from average+ to average</td>
</tr>
<tr>
<td>10</td>
<td>28.5657.000</td>
<td>Bruce &amp; Cindy Olson</td>
<td>$390,500</td>
<td>$455,100</td>
<td>$64,600</td>
<td></td>
<td></td>
<td>Physical review after local board, requested by property owner, home has been renovated, room counts updated</td>
</tr>
<tr>
<td>11</td>
<td>30.0149.000</td>
<td>Morris &amp; Darlene Carlson</td>
<td>$96,700</td>
<td>$76,800</td>
<td>-$19,900</td>
<td></td>
<td></td>
<td>Local board member, corrected from modular construction to manufactured, corrected room counts from 4 baths, 1 bedroom, to 1 bath, 4 bedrooms</td>
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<tr>
<td>12</td>
<td>33.0768.000</td>
<td>Daniel &amp; Diane Doering</td>
<td>$284,000</td>
<td>$258,300</td>
<td>-$25,700</td>
<td></td>
<td></td>
<td>Physical review after local board, corrected room counts, story height, pole garage length</td>
</tr>
<tr>
<td>13</td>
<td>44.0003.001</td>
<td>Martin &amp; Kristy Patterson</td>
<td>$84,900</td>
<td>$65,100</td>
<td>-$19,800</td>
<td>NHstd-Res</td>
<td>Hstd-Ag</td>
<td>Physical review after local board, lowered quality and finish percentage of studio , adjoining property (44.0003.003 is farmed)</td>
</tr>
<tr>
<td>14</td>
<td>44.0003.002</td>
<td>Martin &amp; Kristy Patterson</td>
<td>$172,300</td>
<td>$172,300</td>
<td>$0</td>
<td>NHstd-Res</td>
<td>Hstd-RVL</td>
<td>Adjoining property (44.0003.003) is farmed</td>
</tr>
</tbody>
</table>
Chair Steve Hallan called the meeting to order at 10:00 a.m. Present were Commissioners Steve Chaffee, John Mikrot, Jr., and Matt Ludwig. Also present were County Administrator David Minke and County Attorney Reese Frederickson. Commissioner Josh Mohr was absent (excused).

The Pledge of Allegiance was said.

Chair Hallan called for public comment. There was no public comment.

Chair Hallan requested the following revisions to the Agenda:
1. Addition to Consent Agenda #9, New Hire
   Approve the hiring of part-time Court Security Officers Michael Manther and William Scheremet, effective June 20, 2018, $18.46 per hour, Grade 6.
2. Addition to Regular Agenda #4A, Appointment of Alternate Representative
   Consider the appointment of Commissioner Josh Mohr as the Alternate County Representative to the Lower St. Croix 1W1P Policy Committee.
3. Addition to Regular Agenda #4B, Flooding Update

Commissioner Ludwig moved to approve the amended Agenda. Second by Commissioner Chaffee. Motion carried 4-0.

Commissioner Mikrot moved to approve the Minutes of the June 5, 2018 Special Meeting-Committee of the Whole (Legislative Update). Second by Commissioner Chaffee. Motion carried 4-0.

Commissioner Ludwig moved to approve the Minutes of the June 5, 2018 board meeting and Summary for publication. Second by Commissioner Mikrot. Motion carried 4-0.

Minutes of Boards, Reports and Correspondence
   Pine County Chemical Health Coalition Minutes – June 11, 2008
Motion by Commissioner Chaffee to acknowledge the Minutes of Boards, Reports and Correspondence. Second by Commissioner Mikrot. Motion carried 4-0.

Commissioner Chaffee moved to approve the amended Consent Agenda. Second by Commissioner Ludwig. Motion carried 4-0.

**CONSENT AGENDA**

1. **Review May, 2018 Cash Balance**

<table>
<thead>
<tr>
<th>Fund</th>
<th>May 31, 2017</th>
<th>May 31, 2018</th>
<th>Increase(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>(63,436)</td>
<td>258,530</td>
<td>321,966</td>
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<tr>
<td>Health and Human Services Fund</td>
<td>(854,519)</td>
<td>(457,053)</td>
<td>397,466</td>
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<tr>
<td>Road and Bridge Fund</td>
<td>1,720,978</td>
<td>4,125,032</td>
<td>2,404,053</td>
</tr>
</tbody>
</table>
Land Management Fund 2,196,401 2,203,225 6,824
TOTAL (inc non-major funds) 18,576,286 25,309,348 6,733,062

2. **Premises Permit Application**
   Approve a Premises Permit Application from the American Legion Post 51 to conduct Minnesota lawful gambling at the Floppie Crappie Lakeside Pub, 10762 Lakeview Shore Drive, Pine City, MN (Pokegama Twp).

3. **Application to Conduct Excluded Bingo**
   Approve an Application to Conduct Excluded Bingo from the Kiwanis of Moose Lake to conduct Minnesota lawful gambling on August 30, 2018 at Doc’s Pavilion, 34427 Majestic Pine Dr., Sturgeon Lake, MN (Windemere Twp.).

4. **Approval of Licenses**
   Approve the following licenses:
   A. 3.2 licenses for July 1, 2018 through June 30, 2019:
      - Duxbury Store, Ray & Marge’s Resort, and Duquette General Store
   B. Tobacco License -- through December 31, 2018
      - Dollar General Store #18905
   C. 3.2 Temporary License
      - Jack Pine Riders
   All subject to Pine County Sheriff, Pine County Attorney, Township and State approval.

5. **Tax Forfeit Conveyance Requests**
   Approve:
   Resolution 2018-32 for the conveyance of tax forfeited land to the City of Sandstone
      - PIDs 45.5093.001, 45.5250.001, 45.5251.002, 45.5251.000, 45.5434.000, 45.5327.000 and 45.5341.000 for purpose of demolition of structures and clean up to correct blight conditions; and
   Resolution 2018-31 for the conveyance of tax forfeited land to the City of Pine City
      - PIDs 42.0179.000 and 42.0205.000 (both parcels through a no charge Conditional Use Deed) for use of parks and open green space along with possible storm water and utility related infrastructure; and
      - PID 42.5188.000 (Old Feed Mill for the appraised value of $1.00) (through purchase) for purpose of demolition of structures and clean up to correct blight conditions.
   Authorize Board Chair and County Auditor to sign.

   Approve a Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Corrections, Department of Corrections, Work Release Unit and Pine County. The term of the agreement is July 1, 2018 through June 30, 2019. The State to pay $55 per day, per state offender, not to exceed $50,000. Authorize Board Chair and County Administrator to sign the Joint Powers Agreement.

7. **Agreement for Prosecution Services for Township Ordinance Violations— Township of Arlone**
   Approve an Agreement for Prosecution Services for violation of township ordinances between the Township of Arlone and Pine County for a one-year term—May 1, 2018 through April 30, 2019; $100 per case file submitted to county attorney for review and/or charging of violations of township ordinances. Authorize Board Chair and County Auditor to sign.
8. **Training**  
   A. Authorize Child Protection Social Workers Jenny Morrison and Nicole Hart to attend the Stand Against Child Abuse Conference, July 23-24, 2018, in Duluth. Registration: $200/each, Accommodations: $145, Mileage: county card will be used. Total Cost: $545.  
   B. Authorize Assessor Office Clerk III Kim Kylander to attend the Summer Minnesota Association of Assessment Personnel (MAAP) workshop, August 16-17, 2018 in Duluth. Registration: $85, Accommodations: $129+ tax, Mileage: $81.64. Total Cost: approx. $295.64.

9. **New Hire**  
   Approve the hiring of part-time Court Security Officers Michael Manther and William Scheremet, effective June 20, 2018, $18.46 per hour, Grade 6.

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**REGULAR AGENDA**

1. **Facilities Committee Report**  
   Commissioner Ludwig provided an overview of the June 6, 2018 Facilities Committee meeting. A project status update on the North Pine Government Center was given. The roof, masonry, heating/ventilation, electrical, carpentry and plumbing have been rebid; these bids will be opened July 17th, the Facilities Committee will meet July 18th to review, and the bids will be presented to the full board July 19th. The John Wright Building Lease to East Central School was discussed. The lease ended April, 2018; the county attorney will meet with a representative from the State of Minnesota for clarification when the building ownership will revert to the county. Other items were informational only.

2. **Health & Human Services Advisory Committee Report**  
   Chair Hallan provided an overview of the June 6, 2018 Health & Human Services Advisory Committee meeting. Public Health reviewed several annual reports with the committee; Chair Hallan requested these reports be presented to the full board. Also discussed were activities of public health and the request of Mille Lacs and Kanabec counties to form a joint Community Health Board. Pine County is not interested in joining other counties in a joint community health board. Other items were informational only.

3. **Personnel Committee Report**  
   Commissioner Chaffee provided an overview of the June 12, 2018 Pine County Personnel Committee meeting. The Personnel Committee acknowledged the resignation of Corrections Officer Adam Zielinski, effective May 18, 2018, and the request to approve the backfill of the open position and any subsequent vacancies that may occur due to an internal promotion or lateral transfer. Other items were informational only.  
   **Motion** by Commissioner Chaffee to approve the recommendation of the Personnel Committee. Second by Commissioner Ludwig. Motion carried 4-0.

4. **Vacation of County Road No. 2**  
   County Engineer Mark LeBrun explained as part of the preliminary plat recommendation for Hollers Point on Cross Lake, the vacation of a portion of Co. Road 2. County Engineer LeBrun has determined no future need for this road.  
   **Motion** by Commissioner Ludwig to approve Resolution 2018-33 vacating the portion of Old County Highway No. 2 lying west of County State Aid Highway No. 9 located in Sections 27 and 34, Township 39 North, Range 21 West to Thomas L. Foster and Angela F. Foster.
Authorize Board Chair and County Administrator to sign resolution. Second by Commissioner Chaffee. Motion carried 4-0.

4A. Appointment of Alternate Representative
Motion by Commissioner Hallan to appoint Commissioner Josh Mohr as the Alternate County Representative to the Lower St. Croix One Watershed One Plan (1W1P) Policy Committee. Second by Commissioner Ludwig. Motion carried 4-0.

4B. Flooding Update
County Engineer Mark LeBrun provided an update on road damage due to the recent rain event.

5. Commissioner Updates
Public Health Advisory Committee: Community Health Services Administrator Samantha Lo will begin employment with Pine County on June 27, 2018.
Soil & Water Conservation District: Commissioner Ludwig stated the forester is doing a great job; a Natural Resources Conservation Services (NRCS) update was given.
Central MN Council on Aging: Central MN Council on Aging has presented its funding request to Pine County.
East Central Regional Juvenile Center: Commissioner Ludwig unable to attend due to meeting conflict.
Fiber Optic: Chair Hallan and County Administrator Minke met with representatives from Midco to discuss wireless internet as a Midco pilot project in East Central Minnesota.
Central MN Jobs and Training Service: Services provided to unemployed individuals by Central MN Jobs and Training.
East Central Solid Waste Commission: Methane gas was discussed, as well as the recycling of the large, white agricultural bags.
East Central Regional Library: Commissioner Mohr not present to provide update.
Pine County Chemical Health Coalition: The Coalition is seeking volunteers to work at the Coalition booths at upcoming fairs/festivals. The Pine County Sheriff’s Office has made a request for a donation towards the cost of drug disposal.
Pine City City Hall Open House: Chair Hallan and Commissioner Mohr attended this second public meeting. Discussion of the city hall location was discussed.
Pine County Joint meeting: Poverty awareness presentation. Next meeting October 11th.
Board of Equalization: Commissioners thanked Land Services Director Kelly Schroeder for the information provided for this meeting.

Other

6. Other
Commissioner Ludwig stated he has received feedback on elk restoration in Pine County and would like to review this subject at the next board meeting.

7. Upcoming Meetings
Upcoming meetings were reviewed.
Chair Hallan is unable to attend the upcoming State Community Health Services Advisory Committee. The alternate representative was the previous community health services (CHS) administrator. The board discussed the appointment of the incoming CHS administrator as alternate to this committee.
Motion by Commissioner Chaffee to appoint Community Health Services Administrator Samantha Lo as the alternate representative to the State Community Health Services Advisory Committee. Second by Commissioner Ludwig. Motion carried 4-0.
8. **Adjourn**

With no further business, Chair Hallan adjourned the meeting at 10:57 a.m. The next regular meeting of the county board is scheduled for Tuesday, July 3, 2018 at 10:00 a.m. at the Pine County Courthouse, 635 Northridge Drive NW, Pine City, Minnesota.

__________________________________  _______________________________________
Stephen M. Hallan, Chair             David J. Minke, Administrator
Board of Commissioners               Clerk to County Board of Commissioners
Chair Steve Hallan called the meeting to order at 10:00 a.m. Present were Commissioners Steve Chaffee, John Mikrot, Jr., and Matt Ludwig. Also present were County Administrator David Minke and County Attorney Reese Frederickson. Commissioner Josh Mohr was absent (excused).

The Pledge of Allegiance was said.

Chair Hallan called for public comment. There was no public comment.

Commissioner Ludwig moved to approve the amended Agenda. Second by Commissioner Chaffee. Motion carried 4-0.

Commissioner Mikrot moved to approve the Minutes of the June 5, 2018 Special Meeting-Committee of the Whole (Legislative Update). Second by Commissioner Chaffee. Motion carried 4-0.

Commissioner Ludwig moved to approve the Minutes of the June 5, 2018 board meeting and Summary for publication. Second by Commissioner Mikrot. Motion carried 4-0.

Minutes of Boards, Reports and Correspondence
Pine County Chemical Health Coalition Minutes – June 11, 2008
Motion by Commissioner Chaffee to acknowledge the Minutes of Boards, Reports and Correspondence. Second by Commissioner Mikrot. Motion carried 4-0.

Commissioner Chaffee moved to approve the amended Consent Agenda. Second by Commissioner Ludwig. Motion carried 4-0.

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<thead>
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<td>2,203,225</td>
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<td>TOTAL (inc non-major funds)</td>
<td>18,576,286</td>
<td>25,309,348</td>
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</table>
Approve a Premises Permit Application from the American Legion Post 51 to conduct Minnesota lawful gambling at the Floppie Crappie Lakeside Pub, 10762 Lakeview Shore Drive, Pine City, MN.

Approve an Application to Conduct Excluded Bingo from the Kiwanis of Moose Lake to conduct Minnesota lawful gambling on August 30, 2018 at Doc’s Pavilion, 34427 Majestic Pine Dr., Sturgeon Lake, MN.

Approve the following licenses:

A. 3.2 licenses for July 1, 2018 through June 30, 2019: Duxbury Store, Ray & Marge’s Resort, and Duquette General Store

B. Tobacco License -- through December 31, 2018: Dollar General Store #18905

C. 3.2 Temporary License: Jack Pine Riders

All subject to Pine County Sheriff, Pine County Attorney, Township and State approval.

Approve:

Resolution 2018-32 for the conveyance of tax forfeited land to the City of Sandstone

  PIDs 45.5093.001, 45.5250.001, 45.5251.002, 45.5251.000, 45.5434.000, 45.5327.000 and 45.5341.000 for purpose of demolition of structures and clean up to correct blight conditions; and

Resolution 2018-31 for the conveyance of tax forfeited land to the City of Pine City

  PIDs 42.0179.000 and 42.0205.000 (both parcels through a no charge Conditional Use Deed) for use of parks and open green space along with possible storm water and utility related infrastructure; and

  PID 42.5188.000 (Old Feed Mill for the appraised value of $1.00) (through purchase) for purpose of demolition of structures and clean up to correct blight conditions.

Approve a Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Corrections, Department of Corrections, Work Release Unit and Pine County. The term of the agreement is July 1, 2018 through June 30, 2019. The State to pay $55 per day, per state offender, not to exceed $50,000.

Approve an Agreement for Prosecution Services for violation of township ordinances between the Township of Arlone and Pine County for a one-year term—May 1, 2018 through April 30, 2019; $100 per case file submitted to county attorney for review and/or charging of violations of township ordinances.

Authorize Child Protection Social Workers Jenny Morrison and Nicole Hart to attend the Stand Against Child Abuse Conference. Total Cost: $545.

Authorize Assessor Office Clerk III Kim Kylander to attend the Summer Minnesota Association of Assessment Personnel (MAAP) workshop. Total Cost: approx. $295.64.

Approve the hiring of part-time Court Security Officers Michael Manther and William Scheremet, effective June 20, 2018, $18.46 per hour, Grade 6.

**Motion** by Commissioner Chaffee to approve the recommendation of the Personnel Committee. Second by Commissioner Ludwig. Motion carried 4-0.
**Motion** by Commissioner Ludwig to approve Resolution 2018-33 vacating the portion of Old County Highway No. 2 lying west of County State Aid Highway No. 9 located in Sections 27 and 34, Township 39 North, Range 21 West to Thomas L. Foster and Angela F. Foster. Second by Commissioner Chaffee. Motion carried 4-0.

**Motion** by Commissioner Hallan to appoint Commissioner Josh Mohr as the Alternate County Representative to the Lower St. Croix One Watershed One Plan (1W1P) Policy Committee. Second by Commissioner Ludwig. Motion carried 4-0.

**Motion** by Commissioner Chaffee to appoint Community Health Services Administrator Samantha Lo as the alternate representative to the State Community Health Services Advisory Committee. Second by Commissioner Ludwig. Motion carried 4-0.

With no further business, Chair Hallan adjourned the meeting at 10:57 a.m. The next regular meeting of the county board is scheduled for Tuesday, July 3, 2018 at 10:00 a.m. at the Pine County Courthouse, 635 Northridge Drive NW, Pine City, Minnesota.

_______________________________
_____________________________
Stephen M. Hallan, Chair     David J. Minke, Administrator
Board of Commissioners        Clerk to County Board of Commissioners

The full text of the board’s Minutes are available at the County Administrator’s Office and the county’s website (www.co.pine.mn.us). Copies may also be requested from the administrator’s office.
ECRL Library Board Minutes

Date: Monday, May 14, 2018

Time: 9:30 a.m.

Place: Rush City Library

Present: Board Members: Don Niemi (Aitkin); Keith Carlson (Chisago); Barbara Kruschel (Isanti); Mike Warring (Isanti); Gene Anderson (Kanabec); Robert Jensen (Kanabec); Karen Rasmusson (Kanabec); Linda Boettcher (Mille Lacs); Wendy Kafka (Mille Lacs); Genny Reynolds (Mille Lacs); Carol Goddard (Pine); Josh Mohr (Pine); Judy Scholin (Pine).

Staff: Shelly Anderson (Administrative and Finance Manager); Sandy Buckingham (Human Resources Coordinator); Rachel Howell (Assistant Director); Carla Lydon (Executive Director); Donna Larson (Branch Librarian).

Absent: Donna Rae Asp (Aitkin); Rebecca May (Aitkin); Patricia Frank (Chisago); George McMahon (Chisago); Karen Lee (Isanti);

Call to Order

Board President Anderson called the May, 2018 meeting of the East Central Regional Library Board to order at 9:30 a.m.

Pledge of Allegiance

Introductions

Donna Larson, Rush City Branch Librarian, welcomed the Board to the Rush City Library. She briefly talked about the importance of the library in the Rush City community and highlighted various library events.

Adopt/Amend Agenda

Lydon asked to move the 2017 Audit Report from New Business to earlier in the meeting, right after the Period for Public Comment.

Added "Mora CD" to Letter B under New Business.

Jensen/Carlson to adopt agenda as amended

M/S/P: unanimous

Period for Public comment

None

2017 Audit Report

Auditor Carl Nordquist reviewed the 2017 ECRL Audit. He led the Board through the various sections of the Basic Financial Statement and answered questions. Nordquist then reviewed the Management Letter and highlighted several sections of this.

Niemi/Carlson to accept Audit Report
M/S/P: unanimous

Approval of Previous Minutes

No additions or corrections.

Reynolds/Jensen to approve minutes

M/S/P: unanimous

Bills

In the absence of Karen Lee, Lydon read the email Lee sent regarding the bills. She explained that the bill for Gale/CENGAGE Learning for $7,664.76 is for a Chilton’s database. CMERDC $34,626.00 is for internet for July – December internet lines. Additionally, the $3,207.51 for Bud’s Auto Body is body work repair on one of our vans after a deer collision.

Rasmusson/Carlson to approve bills as presented

M/S/P: unanimous

Financial Reports

Reviewed and discussed Financial Reports.

Jensen/Scholin to accept the Financial Report as presented

M/S/P: unanimous

ECRL Administrative Reports

A. Director's Organizational Report
   - We had an employee start in the Cambridge Branch, worked three hours and resigned. We had a strong second candidate - he was offered and accepted the position. We are very pleased that Katherine Jordan, new Branch Librarian in Mora, has started.
   - Lydon stated that we had a theft of a Surface computer from the work desk in Cambridge. We were concerned about the data and IT killed that workstation immediately. IT staff are doing a security audit to see if there is a way to better secure our computers and/or make them less obvious. Previously, a public computer was stolen from the Princeton Library.
   - Carlson questioned the 3/27/18 incident report for Chisago (outer doors left unlocked). He asked if the doors lock automatically and was told that they are, but sometimes they don’t close hard enough to lock. We are working with county maintenance on this issue.
   - Niemi commented on the incident in Aitkin (demanding/belligerent patron wanting to use the phone). He remarked that the Branch Librarian handled that situation well.

B. Branch Highlights
   - April was a very good month for programming. There were a number of well attended and popular programs. Mora had room busting attendance for the rock balancing program.
   - With the hire of the new Mora Librarian, Adam Kehn, who served as interim Branch Librarian, has returned to his regular Branch Assistant position in Cambridge. Adam did a stellar job at keeping the Mora Branch going during the interim.
   - We are in high gear for the summer reading program.
**Other Reports**

A. **Personnel Committee**
   The RFP for a Compensation and Classification Study was reviewed by the Personnel Committee and the RFP was sent out last week. It’s been 10 years since a comp/class study was done. Committee hopes to bring a recommendation to the Board in June.

B. **Strategic Planning Committee**
   The strategic Planning Committee had their first meeting earlier this month. They reviewed the previous Strategic Plan and discussed next steps. Next meeting 5/29/18, 9:30 a.m. in Cambridge.

C. **Legacy Committee**
   Lydon referred to the Legacy Meeting Notes that are included in the Board packet.

**Old Business**

None

**New Business**

A. **2017 Audit Report** – see Page 1 of Meeting Minutes.

B. **Mora CD**: We have a CD at Neighborhood National Bank in Mora and when trying to update the information they wanted an updated contact person. We need Board action showing Carla as contact and signer. Also, need to show that the Board chose at the February Board Meeting to not require Lydon to provide social security number. Discussion was had about the February Board Action to not require personal information on account signatories. Carlson disagreed with that action and felt we should require that information.

*Boettcher/Goddard to approve update*

*M/S/P*

*Opposed: Carlson and Niemi*

**Trustee Issues**

A. **Legislative Update**: Lydon stated that this is the last week of the legislative session. This is the time for last minute negotiations. Bonding bill is still on the table. There is unspent RLTA funds – these funds are category 1 (internet lines) and category 2 (other things related to providing access). We have not applied for category 2 money for some time. The senate came up with a bill to return approximately $300,000 to the general fund. Our lobbyist is working to keep this library money with libraries. House bill keeps the unspent funds with the Department of Education. We are hoping the house bill will prevail.

**Future Agenda Items**

The 60th anniversary of ECRL is approaching in 2019. Reynolds would like to have a committee created to plan and budget for it. Lydon will put together a proposed committee for Anderson to approve in June.
**Next meeting.** Monday, June 11, 2018, 9:30 a.m. in Hinckley.

*Carlson/Jensen to adjourn at 11:30 am*

*M/S/P: unanimous*

Josh Mohr, Secretary

Sandy Buckingham, Recorder
Pine County Land Surveyor Monthly Report

June 2018

CR 134, T41N R20W Section 30, compute ROW, set and GPS ROW corners and private corners, update files.

CR 122, T39N R21W, set GPS control, search for PLSS corners, set, tie out and GPS PLSS corners, set and GPS ROW corners and private corners, update files.

CSAH 53, T39N R21W and R22W, set GPS control, search for PLSS corners, set, tie out and GPS PLSS corners, set and GPS ROW corners and private corners, update files.

CSAH 8, T39N R21W Section 33, set GPS control, search for PLSS corners, tie out and GPS PLSS corners, compute ROW, set and GPS ROW corners and private corners, update files.

CSAH 65, T39N R21W Section 33, set and GPS ROW corners and private corners, update files.

Provide HARN coordinate data for GIS to County Recorder as needed.

Review legal descriptions for County ROW Dept. and County Land Dept. as needed.

Review Plats and Minor Subdivisions for County Zoning Dept. as needed.

Review and file PLSS corner certificates provided by private surveyors as needed.

Review, edit and file PLSS corner certificates created by County Surveyor as needed.

Review, edit and file Certificates of Survey created by County Surveyor as needed.

Robin T. Mathews, Pine County Surveyor
NOTICE OF COMMENT PERIOD
Issued: June 22, 2018

In the Matter of Northwestern Wisconsin Electric Company’s Application for Authority to Refund Tax Savings from the Tax Cut and Jobs Act (TCJA) to Minnesota Customers

PUC Docket Number(s): E-016/M-18-400

Comment Period: Initial comment period closes August 17, 2018 at 4:30pm
Reply comment period closes August 27, 2018 at 4:30pm

The Commission may determine that it will not consider comments received after the close of the comment period.

Issue: Should Northwestern Wisconsin Electric Company’s request to refund tax savings from the TCJA and to apply Wisconsin approved rates to its Minnesota customers be approved?

Topic(s) Open for Comment:
- Should Northwestern Wisconsin Electric Company’s request to refund tax savings from the TCJA to its Minnesota customers be approved?
- Should Northwestern Wisconsin Electric Company’s request to apply lower Wisconsin approved rates to its Minnesota customers be approved?
- Are there other issues or concerns related to this matter?

Background: On June 18, 2018,1 Northwestern Wisconsin Electric Company (NWEC) submitted its request to refund tax savings from the TCJA of approximately $2,860 on an annualized basis to its Minnesota customers and to apply its Wisconsin approved rates to its Minnesota customers. NWEC made this request in this docket so that, if it is approved, the Company’s Minnesota rates and rules will conform to the Company’s Wisconsin rates and rules. Pursuant to Minn. Stat. § 216B.16, subd. 12a, NWEC qualifies for the small electric utility exemption from Minn. Stat. § 216B.16.

---

1 Northwestern Wisconsin Electric Company’s application is dated June 14, 2018 and was received into the Commission’s eFiling system on June 18, 2018. Pursuant to Minnesota Rule, 7829.0400, Subd. 5a, electronic service is complete upon receipt of confirmation of submission of the document.
Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are required to file documents using the Commission’s electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: mn.gov/puc, select eFiling, and follow the prompts.

Submit Public Comments: Visit mn.gov/puc, select Speak Up! to find this docket, and add your comments to the discussion or email your comments to consumer.puc@state.mn.us.

Full Case Record: See all documents filed in this docket via the Commission’s website at mn.gov/puc, select Search eDockets, enter the year (18) and the docket number (400), select Search.

Subscribe to receive email notification when new documents are filed in this docket at mn.gov/puc, select Subscribe, or click HERE and follow the prompts.

Questions about this docket or Commission process and procedure? Contact Commission staff, Jorge Alonso, at jorge.alonso@state.mn.us or 651-201-2258.

Change your mailing preferences: Email docketing.puc@state.mn.us or call 651-201-2204.

To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda
  5 mins  ☐ 10 mins  ☐ 15 mins  ☐ Other  ☐

☐ Personnel Committee
☐ Other ____________

Agenda Item: June, 2018 Disbursements

Department: Auditor-Treasurer

[Signature]

Department Head signature

Background information on Item:

June, 2018 Disbursements

Action Requested:

Approval.

Financial Impact:
## Recap by Fund

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## Recap by Type

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AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda
☐ 5 mins ☐ 10 mins ☐ 15 mins ☐ Other

☐ Personnel Committee
☐ Other __________

Agenda Item: Application for Abatement

Department: Auditor-Treasurer

Department Head signature

Background information on Item:
Hoffman's Oak Lake Campground, 52777 Hoffman Dr, Kerrick, PID 16.8900.025, pay 2018

Action Requested:

Financial Impact:
APPLICATION FOR ABATEMENT - GENERAL FORM
(M.S. 375.192)

DATE: 6/21/18
Abatement #: AB10-10

Please Print Or Type

Applicants Name: Hoffman's Oak Lake Campground
Applicant's SSN: ___________________________________________
Telephone (Home): _______________________________
Telephone (Work): _______________________________

Applicants Mailing Address:
32777 Hoffman Dr
Kenick, MN 55756

Description Of Property: Property ID or Parcel Number: 1186900.025
Street Address: n/a
Township/City: Kenick Twp
School District: 2580

Legal Description: Lot 25 Hoffman's Oak Lake

ASSESSOR'S ESTIMATED MARKET VALUE:

Land: ______ Structures: 12,000 Total: 12,000 Classification: 1510-095

Applicants Statement of Facts:

Dealer Inventory

Applicants Request:

Exempt as dealer inventory

Applicant's Signature: __________________________

NOTE: Minnesota Statutes 1988, Section 609.41, "Whoever, in making any statement, oral or written, which is required or authorized by law to be made as a basis of imposing, reducing, or abating any tax or assessment, intentionally makes any statement as to any material matter which the maker of the statement knows is false may be sentenced, unless otherwise provided by law, to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both."
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda

☐ Personnel Committee
☐ Other

5 mins ☐ 10 mins ☐ 15 mins ☐ Other ☐

Agenda Item: Application for Abatement

Department: Auditor-Treasurer

Department Head signature

Background information on Item:
Hoffman's Oak Lake Campground, 52777 Hofman Dr, Kerrick, PID 16.8900.115, pay 2018

Action Requested:

Financial Impact:
APPLICATION FOR ABATEMENT - GENERAL FORM
(M.S. 375.192)

DATE: 6-26-18
Abatement #: AB 18-11

Please Print Or Type

Applicants Name: Hoffmann Oak Lake
Applicant's SSN: Campground
Telephone (Home):
Telephone (Work):

Applicants Mailing Address:
5277 Hoffman Dr.
Kerrick, MN 55756

Property ID or Parcel Number: 16-8900-115
Street Address:
Kerrick Twsp.
Township/City:
School District: 2580

Legal Description:

ASSESSOR'S ESTIMATED MARKET VALUE:
Land: Structures: Total: Classification: 151-0-99

Applicants Statement of Facts:
Dealer Inventory

Applicants Request:
Exempt As Dealer Inventory

Applicant's Signature:

NOTE: Minnesota Statutes 1988, Section 609.41, "Whoever, in making any statement, oral or written, which is required or authorized by law to be made as a basis of imposing, reducing, or abating any tax or assessment, intentionally makes any statement as to any material matter which the maker of the statement knows is false may be sentenced, unless otherwise provided by law, to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both."
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☐ County Board
  □ Consent Agenda
  □ Regular Agenda 5 mins □ 10 mins □ 15 mins □ Other □
  □ Personnel Committee
  □ Other

Agenda Item: Application for Repurchase

Department: Auditor-Treasurer

Background information on Item:
Resolution for repurchase of tax forfeited land on a 10 year contract for
Stephen and Chay Brune

Action Requested:
Approve Resolution

Financial Impact:
None
RESOLUTION

WHEREAS, Stephen R. Brune and Chay E. Brune, the former owners, have made and filed an application with the County Auditor for the repurchase of the hereinbefore described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, as amended, which land is situated in the County of Pine, Minnesota, and described as follows, to-wit:

Northwest Quarter of Northeast Quarter (NW1/4 of NE1/4) less Northwest Quarter of Northwest Quarter of Northeast Quarter (NW1/4 of NW1/4 of NE1/4), Section Twenty-six (26), Township Forty-one (41), Range Nineteen (19) Subject to easement PID #01.0187.003

and WHEREAS, said applicant has submitted the required application for repurchase to the Pine County Auditor:

and

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 Stephen R. Brune and Chay E. Brune, for the repurchase 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.

Dated at Pine City, Minnesota, this 3rd day in July, 2018.

Attest: ____________________________
Chairman, Board of County Commissioners
Pine County, Minnesota

____________________________
County Auditor
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☐ County Board
☐ Consent Agenda
☐ Regular Agenda
☐ Personnel Committee
☐ Other

Agenda Item: Application for Repurchase

Department: Auditor-Treasurer

Background information on Item:
Resolution for repurchase in full for Richard J. and Diane L. Armstrong
Parcel 09.5717.000

Action Requested:
Approve Resolution

Financial Impact:
None
RESOLUTION No. 2018-36

WHEREAS, Richard J. Armstrong and Diane L. Armstrong, the former owners, have 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, as amended, which land is situated in the County of Pine, Minnesota, and described as follows, to-wit:

Lot One hundred thirty-two (132), Block 1, Pathfinder Village St. Croix 7th Addition
PID #09.5717.000

and WHEREAS, said applicant has submitted the required application for repurchase to the Pine County Auditor:

and

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 Richard J. Armstrong and Diane L. Armstrong, for the repurchase 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.

Dated at Pine City, Minnesota, this 3rd day in July, 2018.

Attest: Chairman, Board of County Commissioners
Pine County, Minnesota

County Auditor
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda
☐ 5 mins
☐ 10 mins
☐ 15 mins
☐ Other

☐ Personnel Committee
☐ Other

Agenda Item: Electronic Transfer of Funds Policy and Procedure
Department: Auditor-Treasurer

Background information on Item:
This policy was last updated in 2011 and since that time, other vendors have added or required that Pine County remit funds via Automatic Clearing House (ACH) wire debits. In addition, the list of investors has changed over the years and the new policy reflects those that are currently being used.

Action Requested:
Approval.

Financial Impact:
PINE COUNTY ELECTRONIC TRANSFER OF FUNDS
POLICY AND PROCEDURE
(Revised – County Board Approved 7-3-2018)

The Pine County Board of Commissioners authorizes the following procedures to be used for investments and expenditures via electronic transfer of funds.

The County Board shall delegate the County Auditor-Treasurer authority to make fund transfers for investment and expenditure transactions via electronic funds transfer. For electronic wire transfers for investment purposes, the following procedure shall be policy:

1. The County Auditor-Treasurer or the Chief Deputy County Auditor-Treasurer requesting a wire transfer of funds will make communication with the disbursing bank.

2. Upon completion of the request for a transfer of funds, the disbursing Bank shall call the County Auditor-Treasurer’s office, to verify the request for a funds transfer.

3. A documented written request shall be provided to the disbursing agency the day of the request for a transfer of funds.

   The request document shall include the following information:

   1. Authorized bank account number
   2. Authorized payee
   3. Designated amount to be transferred
   4. Date that the account will be debited
   5. A written confirmation of transactions shall be returned to the County Auditor-Treasurer from the disbursing agency the following business day.
   6. An acknowledgement number shall be coded on the confirmation.

For Automatic Clearing House wire debits, the bank will provide confirmation of the debit one business day after the transaction to the County Auditor-Treasurer. The confirmation number will be recorded on the county voucher.

CURRENT LIST OF VENDORS:

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<td>CoCard</td>
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<td>Cybersource</td>
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</table>

LIST OF INVESTORS: May be amended by the County Auditor-Treasurer as per Part III Objective of the Pine County Investment Policy.

Frandsen Bank & Trust
Stearns Bank – Pine City
M.A.G.I.C. Fund
Wells Fargo
First Empire Securities
Mutual Securities
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☐ County Board
☒ Consent Agenda
☐ Regular Agenda

☐ Personnel Committee
☐ Other __________

Agenda Item: Easement Agreement with City of Rock Creek

Department: Pine County Public Works

[Signature]

Department Head signature

Background information on Item:

Easement agreement extending the easement and the right of the City of Rock Creek to remove and store material.

Action Requested:

Authorize signatures

Financial Impact:

None
June 13, 2018

Mark LeBrun, County Engineer  
Pine County Public Works  
405 Airport Road NE  
Pine City, MN 55063

Dear Mr. LeBrun:

The Easement Agreement entered into between the City of Rock Creek and Pine County granting an easement over property owned by the City will automatically expire in August of this year.

Enclosed please find two copies of the Easement Agreement extending the easement and the right of the City to remove and store material, that has been approved by the City Council and signed by Mayor Saari.

If the County decides to extend this agreement, please return one copy with the required signatures, keeping one copy for yourself.

Sincerely,

[Signature]

Sandra Pangerl  
City Clerk Administrator

Enclosures
EASEMENT AGREEMENT

This agreement is made and entered into this ____________, 2018 between the City of Rock Creek, a municipal corporation located in the County of Pine, State of Minnesota, hereinafter referred to as “City”, and the County of Pine, State of Minnesota, a municipal corporation, hereinafter referred to as “County”.

1. It is agreed that the County owns the following described land, to wit:
   The North one-half of the Southeast one-quarter (N 1/2 of the SE 1/4),
   Section 28, Township 38 North, Range 20 West.
Said land being located in the City of Rock Creek, County of Pine, State of Minnesota.

2. It is agreed that the City owns property adjacent to the above described property over which it is necessary for the County to use for ingress and egress to the above described property for the removal of gravel, sand and earthen materials, described as follows, to wit:
   The Southwest one-quarter of the Southeast one-quarter (SW 1/4 of the SE 1/4), Section 28, Township 38 North, Range 20 West.

3. The City by this agreement grants to the County an easement over, through and across said property owned by the city for the purposes deemed necessary by the County for trucks and other equipment to have the right of ingress and egress over a route as agreed to by the parties for the hauling of gravel, sand and earthen materials from the first described parcel of land over the second described parcel of land to the public road bordering the south periphery of the last described tract of land. It is further agreed that the right of use granted herein to the County by the City will apply equally to agents and contractors using said easement for the furtherance of the purpose of the County of Pine.

4. The mutual consideration in this contract is that the City will be allowed to remove from the land owned by the County sand and earthen materials without payment to the County of Pine for the cost of the material. It is not the intention of this contract to require the City to remove any material.

5. It is contemplated by both parties that at certain times it may be necessary to stock pile some of the material taken, and therefore, it is agreed that said stock piles shall be retained separately and identified separately.

6. The term of the easement agreement is for five (5) years, after which it shall automatically expire unless the parties agree to extend the easement and the right of the City to remove and store material.
IN WITNESS WHEREOF, the parties have executed this agreement.

CITY OF ROCK CREEK
By: (Signature) Craig Saari
   Mayor, City of Rock Creek
   Date: MAY 3, 2018

COUNTY OF PINE
By: (Signature) Stephen M. Hallan
   Pine County Board of Commissioners
   Date: 

Approved as to form and execution:

By: (Signature) Reese Frederickson
   Pine County Attorney
   Date: 

AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda 5 mins ☐ 10 mins ☐ 15 mins ☐ Other ☐

☐ Personnel Committee
☐ Other

Agenda Item: Resolution 2018-34

Department: HHS

Department Head signature

Background information on Item:

Samantha Lo begins her duties as the Community Health Services Administrator on June 27, 2018. Per MN Statute 145A, the Community Health Board can appoint an agent of the Board to act on the Board’s behalf and to carry out the intentions of the Board. Resolution 2018-34 appoints Samantha Lo to act as the Agent of the Pine County Community Health Board.

Action Requested:

Authorize resolution 2018-34 and approve the Chair and Administrator to sign the resolution.

Financial Impact:

N/A
RESOLUTION 2018-34
Appointment of Agent for Pine County Community Health Board

WHEREAS, Pine County has established a Community Health Board (herein after referred to as “Board”) under Minnesota Statutes 145A; and

WHEREAS, it is useful and convenient to appoint an agent of the Board to act on the Board’s behalf and to carry out the intentions of the Board;

NOW, THEREFORE, BE IT RESOLVED that Samantha Lo, being employed by Pine County and meeting the requirements of a Community Health Administrator in the State of Minnesota is hereby appointed to:

A) Serve as the Community Health Services Administrator and the Board’s agent per Minnesota Statute 145A.04, Subd. 2, in communicating with the Commissioner of Health, including receiving information from the Commissioner and disseminating that information to the Board as well as providing information to the Commissioner on the Board’s behalf.

B) To sign and submit to the Commissioner the required written components of the Local Public Health Act including identification of local priorities, progress reports and budgets according to Minnesota Statutes 145A.04, Subd. 1(a).

C) To submit grant applications, sign and execute contracts of behalf of the Board for activities administered by the Department of Health and other entities.

D) To review, approve and submit invoices for payment on behalf of the Board for activities administered by the Department of Health and other entities.

This resolution authorizes the above-named individual to act on behalf of and bind the Board to the extent and for the purposes indicated in this resolution and to the extent allowed by law.

Dated this ____ day of July, 2018

Chair, Pine County Community Health Board

Attest:

___________________________
David J. Minke, Secretary to the Pine County Community Health Board
County Administrator
AGENDA REQUEST FORM

Date of Meeting: 7/3/2018

☑ County Board
■ Consent Agenda
☐ Regular Agenda

☐ Personnel Committee
☐ Other

Agenda Item: Approve hiring

Department: HHS

Department Head signature

Background information on Item:

HHS was given authorization to backfill an Office Support Specialist position in the Child Support Unit. Interviews were recently held for the position. The position was offered to and accepted by Samantha Robbins, contingent on County Board approval and a background check. Samantha will begin her employment with HHS on July 23, 2018 at Grade 2, Step 1 ($14.61/hour).

Action Requested:

Authorize Samantha Robbins to be hired as an Office Support Specialist with HHS effective July 23, 2018 at Grade 2, Step 1 ($14.61/hour), contingent on the background check.

Financial Impact:

The position is contained in the 2018 HHS budget.
AGENDA REQUEST FORM

Date of Meeting: 7/3/2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda
☐ Personnel Committee
☐ Other

5 mins ☐ 10 mins ☐ 15 mins ☐ Other ☐

Agenda Item: Authorize attendance at conference

Department: HHS

Background information on Item:
Social Services Supervisor Patrick Meacham has requested to attend the MN Supervisors' Conference from September 9 - 12, 2018, at Breezy Point, MN.

Action Requested:
Authorize Social Services Supervisor Patrick Meacham to attend the MN Supervisors' Conference from September 9 - 12, 2018, at Breezy Point.

Financial Impact:
Registration: $60
Accommodations: $630 (includes meals)
Mileage: About $155
Total cost: $845
There are funds available in the 2018 Staff Development Budget to cover the expenses associated with attendance at this conference.
AGENDA REQUEST FORM

Date of Meeting: __July 3, 2018__

 County Board
  ☑ Consent Agenda
  ☐ Regular Agenda
  5 mins. 10 mins. 15 mins. Other

☐ Personnel Committee
☐ Other _______________

Agenda Item: __________ Assessor Continuing Education

Department: __________ Land Services

Background information on Item:

Minnesota Rules 1950.1080 requires all assessors with a licensure of Accredited Minnesota Assessor or Senior Accredited Minnesota Assessor to obtain at least 50 continuing education hours and assessors with a licensure of Certified Minnesota Assessor to obtain at least 40 continuing education hours each four-year education period. This four-year education period runs from July 1, 2017-June 30, 2021.

Action Requested:

Consider attendance Jennifer Christensen, Senior Property Appraiser to attend the Minnesota Department of Revenue’s Professional Assessment Certification and Education course on the Sustainable Forest Incentive Act and 2c Managed Forest Classification July 30-31, 2018 in Grand Rapids, MN to obtain fifteen continuing education hours towards her required hours.

Financial Impact:

The cost of the course is $125 per person which includes meals, and a county vehicle will be used, so no mileage will be incurred. One night in hotel, $93 plus tax. Total cost $218 plus tax. All expenses are within the 2018 Assessor’s office budget.
MINUTES
PINE COUNTY TECHNOLOGY COMMITTEE

District 1  Commissioner Hallan
District 2  Commissioner Mohr

Tuesday June 26th 2018, 9:00 a.m.
Commissioner Conference Room, Courthouse
Pine City, Minnesota

Present: Commissioner Ludwig, Commissioner Mohr, County Administrator David Minke, IT Manager Ryan Findell, HR Manager Jackie Koivisto, Child Support Supervisor Jodi Blesener, Land Services Director Kelly Schroeder, Jail Administrator Rodney Williamson, IT Specialist Sr. Kent Bombard, Administrator Office Manager Deb Gray

Commissioner Hallan absent (excused). Commissioner Ludwig: alternate member

1. Called meeting to order at 8:58am

2. Commissioner Mohr motioned to recommend the agenda for approval, Commissioner Ludwig seconded. Motion carried 2-0

3. Jail Camera Financial Update
   • Jail Administrator Rodney Williamson discussed the steps for completing the DVR and camera replacement. Step 1 is complete and he will wait until this fall to review boarding revenue for steps 2 and 3 which is DVR, licensing and networking. Estimate for steps 2 and 3 is $100,000. This will be reviewed at the next Tech Committee meeting on September 25th at 9am. The Auditors department has created a separate line item in Jail budget to account for the project cost.

4. Fund #43 – Update and Planning
   • Ryan Findell presented the financial update for Tech Fund #43 that was setup to purchase the Zuercher RMS system for the Sheriff’s department. Currently the last payment for Zuercher has not been entered into the general ledger. With the Zuercher project funding finished, the fund can be used for other technology projects that arise starting in 2019. Ryan presented a list of departmental programs and hardware that come at a significant cost that would be difficult to budget for in the normal IT budget. During the upcoming budget process, Ryan will determine the useful life expectancy and cost of each item to determine an estimated cost per year the County would need in this fund to maintain these projects.

5. Year to Date IT Financial Update
   • The IT budget was discussed. Currently, there are no issues with the IT budget due to the amount of money that is spent in the first quarter. Most of the major projects including the Anti-Virus, firewalls and website have all been paid for. Ryan will review the budget towards the end of the year to determine if smaller projects can be accomplished this year.

6. NPGC Building Technology discussion
   • All of the technology outside of the Bid process for the new NPGC was discussed. Fiber cost, door readers, projectors, TV’s, ITV and Panic Buttons. The total is unchanged at approximately $200,000. The cost of the projectors and the conference rooms was discussed. Any changes
from the current listed items would be done at a later date closer with the end of the bid process or the start of the building construction.

7. Document Imaging
   - The Administration department has been working through imaging issues in regards to the board packets. A quote was received for a new system that might simplify the business practice and the overall usefulness of the imaging system. Discussion was held on the process to discover how to successfully use and manage these documents. Ryan will reach out to vendors to see what else is needed to help this process, while the Administration department will try to reach out to other counties that are using our current system to see how they are using it.

8. Project updates
   - Website – Migration has been completed and there is training starting at the end of the week for the new website. No ETA on a go live date.
   - Anti-Virus Deployment
     - The new Anti-Virus has been deployed and certain issues have been worked through. The IT department will work by department deploying the final settings.

9. Microsoft Windows 10 Licensing
   - The IT department is looking at options for Windows 10 Enterprise. The current cost is not in the 2018 budget. Options include a cost range of $50,000 a year, or $150,000 up front. Ryan will get more quotes and find the best option to move forward.

10. Commissioner Ludwig made a motion to move the next Tech Committee meeting from August 28th to September 25th at 9am. Commissioner Mohr seconded, with no discussion, the motion passed.

11. Adjourn at 11:02am
1. Pine County Claims Data Update
   a. Quarterly claims and per member per month (PMPM) data were reviewed. Based on figures presented at our meeting in March, a 12% premium increase was projected for 2019. We now have four more months of claims experience to add to our projections. Unfortunately, these last four months were not favorable. This is not uncommon since deductibles are often met by the end of the year causing spikes in usage. Justin explained how the service coop uses claims periods and plan design to set rates. The H.S.A has replaced CMM 1500 as the most frequent plan selected by Pine County employees moving it into the plan 1 position in the rate calculator and essentially shifting the PMPM up. Justin has asked the coop if they would consider keeping the CMM 1500 in the Plan 1 position which could decrease the projected renewal increase from 12% to the 5%-6% range. The coop is receptive to this request. Final numbers will not be available until August.
   b. Preventive care services utilization was reviewed. While we are able to find some positive trends in usage, opportunities still exist. Pam from BCBS commented that our usage numbers are average. Justin provided BCBS preventive care handouts that we can distribute to employees or give to the wellness committee to help increase awareness of the services available.

2. Plan Options and Alternatives for 2019
   a. Justin introduced the option of adding narrow network plans at our March insurance meeting as a significant cost savings solution. The Access network (north) and the High Value (south) would bring us from 3 insurance plans to 5. The narrow network concept is where a group of providers band together to form a network. The consumer is restricted to using providers within this network and in turn, receive discounted services. If you go out of the network, you will pay significantly more for the services. The narrow network plans are mirrored after our current H.S.A. plan. Four plans are what the coop typically allows. They would, however, let us have 5 plans if we agree to drop the plan with the lowest utilization after a two-year period. Sheila Pokorny asked who receives the savings and Justin explained that all of the savings is passed on to the employee – the employer contribution stays the same. He also reiterated the fact that the narrow network plans are strictly voluntary. Employees will continue to have the choice to select the plan that best suits their needs.

Narrow network proposed premiums were reviewed. The Access network has the potential of saving employees up to 6% and the High Value network has the potential of saving employees up to 9%. The premium reductions could allow a greater share of the County contribution to go into the Health Savings Account contributions. In the example provided, the High Value
network premium would be less than the County contribution for either single or family coverage allowing the remainder to be placed into the Health Savings Account.

A list of Access and High Value providers was handed out. Gateway Clinic is currently listed as non-participating. Pam Lovaas will follow-up to make sure this is correct. David Minke asked if providers can opt in and out during the year. Pam explained that it would be uncommon for this to happen since most of their contracts run on a calendar year basis.

b. In April, the committee asked Justin to explore a 3-tier rate option for health insurance. The coop does not offer an employee + 1 tier. They do offer employee + children. This is based strictly on economics. Employee + 1 is utilized most by people age 55 and up which is a higher claims usage demographic. Simply put, it is more expensive and would adversely impact the rates for the rest of our group. We will discuss the possibility of adding the employee + children rate at our next meeting.

c. Discussion was held concerning early retirees. Currently, if an employee retires early (age 55-64) they have the option of selecting COBRA and remaining on the County insurance until age 65. At age 65, they are eligible to enroll in the County’s Medicare Supplement Plan. This is the only way for early retirees to access our Medicare Supplement. Justin recommended that we allow early retirees to leave the County insurance plan and give them a one-time opportunity to reenroll when they turn 65. Employees age 55-65 are statistically the highest group for claims utilization. Allowing them to leave and come back could mean claims savings for the County, freedom of choice for the early retiree and the option to come back to our very desirable Medicare Supplement Plan at age 65. David asked how we would document this process. BCBS will provide a plan document and the County would need to write a personnel policy for board approval. The committee is in favor of this recommendation.

3. Resource Training Solutions/BCBS (Pam Lovaas, Dan Weir, Stacy Steil)
   a. Dan gave a brief history of the relationship between the County and Resource Training. He expressed his appreciation of our membership.

   b. Stacy Steil introduced two new voluntary BCBS programs that will be available to members in 2019. The first program is called Omada, a digital health program that uses behavioral changes and the power of data to help build healthy habits. The program is aimed at people who are prone to certain chronic diseases. You must qualify for the program in order to participate. Approved participants receive access to a health coach, a community of participants and support groups, a “smart” scale and access to on-line applications.

   The second program is called Vitals. This program speaks to the concept of being wise health care consumers by incentivizing employees through cash payments of $50-$500 to make informed decisions when shopping for health care providers and services. The goal of the program is to make health care costs more transparent to consumers.

4. Ancillary Coverage bid Review
   a. Life, Voluntary Life, Long-Term and Short-Term Disability – Justin reviewed the bids and made the recommendation to stay with our Ochs, our current provider. We received some very competitive bids but Ochs had the best overall package deal:

   Basic Life: 5-year-rate guarantee, cost/$1,000 coverage reduced by $0.02 (13.79% savings, annual savings of $1,951)
Voluntary Life: 5-year rate guarantee, rates stay the same as they are, guaranteed issue amount increased from $100,000 to $200,000 for employees.

Child Life: 5-year rate guarantee, benefit increased from $10,000 to $15,000

Long-Term Disability: 2-year rate guarantee with proposed annual savings of $9,524

Short-Term Disability: 2-year rate guarantee with proposed annual savings of $1,780

The aggregate annual savings to remain with Ochs for Life, Voluntary Life, Long and Short-Term disability is 11.65% or $13,265. The committee is in favor of remaining with Ochs.

b. Justin reviewed the bids for Dental. Health Partners, our current provider, was proposing a 16% rate increase for 2019 based on claims utilization. They were willing to revise the increase to 6%. Justin recommended that we consider moving to the Standard Insurance Company. They are offering an 8% decrease from our current rates for similar coverage. Standard offers slightly better coverage than Health Partners for white fillings. A negative is that Standard does not offer a “Little Partners” program which is enhanced benefits for children age 12 and under (we currently have 9 employees that utilize the Little Partners Plan). Standard’s current proposal mirrors the basic and the buy-up plan currently offered through Health Partners. Justin will ask Standard to propose another plan that combines our current options with a deductible and will present that option at our meeting in August.

c. Quotes for a new Voluntary Vision plan were reviewed. Justin recommended that we consider adding the plan offered through Superior Vision. The monthly premium costs are:

<table>
<thead>
<tr>
<th>Plan Type</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Only</td>
<td>$4.56</td>
</tr>
<tr>
<td>Employee +1</td>
<td>$8.80</td>
</tr>
<tr>
<td>Family</td>
<td>$14.85</td>
</tr>
</tbody>
</table>

We will discuss this option in more detail at our next meeting.

5. Other Topics:

a. The committee will meet again in mid-August. Justin will present updated medical renewal information, more information on narrow networks and other policy changes/enhancements. He will have updated Dental proposals and we will discuss the addition of a Vision plan in more detail. We will also make a decision on the Medicare Supplement qualifying event proposal.
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☐ Regular Agenda

☐ Personnel Committee
☐ Other __________

5 mins ☑ 10 mins ☐ 15 mins ☐ Other ☐

Agenda Item: Introduction of Interim 4-H Program Coordinator

Department: University of Minnesota Extension

[Signature]

Background information on Item:
Introduction of Frank Moyer, Interim 4-H Program Coordinator.

Action Requested:
None.

Financial Impact:
AGENDA REQUEST FORM

Date of Meeting: _______________ July 3, 2018 _______________

☐ County Board
☐ Consent Agenda
☒ Regular Agenda  5 mins.__ 10 mins.__ 15 mins.__ Other___

☐ Personnel Committee
☐ Other _______________

Agenda Item: _______________ Hollers Point on Cross Lake Final Plat _______________

Department: _______________ Land Services __________________________

Kelly Schroeder
Department Head signature

Background information on Item:

On June 28, 2018 the Pine County Zoning Board will review the final plat of Hollers Point on Cross Lake. This review to conducted to ensure the final plat is substantially similar to the approved preliminary plat and that the following items were completed after the preliminary plat:

- Remove the garage which is located between Lots 4 & 5.
- Record the access easements across Lots 3 & 5.
- Draft driveway maintenance agreements to be recorded with the final plat
- Record the sewer district easements which will be needed to service the lots.
- Vacate the small portion of Old County Rd 2 which lies across lots 9, 10, & 11.
- Finalize all Covenant and Restriction language to be recorded with the final plat

It is anticipated the Zoning Board will motion that the final plat conforms to the requirements set forth in the Pine County Platting and Subdivision Ordinance since the final plat is substantially similar to the preliminary plat and all the above requirements have been met.

Action Requested:

Consider approving the Final Plat of Hollers Point on Cross Lake and authorize the County Board Chair, Administrator, and Attorney to sign said plat.
Agenda Item: Federal PILT Payments Class Action Lawsuit

Department: Administration

Background information on Item:

In 2008, Congress significantly amended the Payments In Lieu of Taxes (PILT) law. The change made the payments at the full calculated amount mandatory, rather than dependent upon the annual appropriation. However, the Department of the Interior failed to make the payments at the full amount for 2015-2017 because of an insufficient appropriation. Kane County, Utah filed a lawsuit seeking to recover the full payment amounts. That lawsuit has been certified as a class action lawsuit.

Pine County receives approximately $5,000/year in federal PILT payments and can join the class action. There is no cost to the county and the county will likely receive additional PILT payments from 2015, 2016, and 2017. The amount of the payments is not known; however, give the county’s small annual federal PILT payment, any recovery is likely to be very modest.

The County Attorney, Auditor/Treasurer, and Land Commissioner/Forester all support joining the class action to recover the full payments due.

Action Requested:

Motion to authorize Pine County to join the Class Action Lawsuit Kane County, Utah v. United States, Case nos. 17-739C and 17-1991-C and to authorize the County Administrator to serve as the county’s primary contact and complete the opt-in Notice Form and other paperwork that may be necessary.
PILT counties: Feds may owe you money

By Jonathan Shuffield  Jun. 25, 2018

Counties receiving PILT payments may be due reimbursements for underpayment from 2015-2017 <https://ctt.ec/1mGHY>

In 2008, Congress significantly amended the Payments In-Lieu of Taxes (PILT) statute by mandating full funding through 2014. Congress also repealed the original statute language that made the program discretionary and subject to the annual congressional appropriations process. Due to insufficient appropriations for 2015-2017, PILT recipients did not receive the full amount to which they were entitled under the PILT statute based on the Department of the Interior’s full payment calculation.

As a result, Kane County, Utah filed a lawsuit in the U.S. Court of Federal Claims in June 2017, seeking to recover its own underpayments and the underpayments of all other PILT recipients nationwide for those years. In December, the court ruled in Kane County’s favor for FY2015 and 2016 underpayments and issued a similar ruling on FY2017 underpayments in March 2018.

How to Join the Class Action Suit

To participate in the class action lawsuit and collect possible amounts due them, each underpaid PILT recipient must complete and submit a form “opting into” the lawsuit. If a county does not elect to join the class, they will not be included in the class action lawsuit—and will not receive any recovered funds. Counties will have until mid-September to opt into the class. Click here for more information and to access the opt-in form. <https://www.smithcurrie.com/PILTPaymentsInfo/>

The federal government argued in court that despite Congress’ removal of the original statute language treating PILT as a discretionary program, Congress placed the 2008–2014 timeline limitation on the current statute language making PILT mandatory. Federal Judge Elaine Kaplan disagreed, calling the government’s argument “untenable.”

In her December 2017 ruling, Judge Kaplan elaborated that the federal government “is urging the Court to read the current statute as though it still contained the limiting language that Congress repealed in October of 2008; in other words, the government asks the Court to find that Congress resurrected a repealed provision of law by implication...The government does not cite a single case that supports the resurrection of a repealed provision of law by implication.”
The court also certified the lawsuit as a class action, and ordered that an official notice of the formation of a class be sent to each underpaid PILT recipient. That notice of the class formation will be mailed on June 19. Smith, Currie and Hancock, LLP will serve as class counsel.

The exact amount each county may receive from Interior and the length of the legal of time before issuing of payments remain unsettled issues. It is also unclear if the government will appeal the rulings.

ABOUT JONATHAN SHUFFIELD (Full Bio)

ASSOCIATE LEGISLATIVE DIRECTOR – PUBLIC LANDS AND LIAISON TO THE WESTERN INTERSTATE REGION

Jonathan Shuffield serves as NACo’s Associate Legislative Director for Public Lands and Liaison to the Western Interstate Region, lobbying Congress on public lands issues including Payments In Lieu of Taxes, Secure Rural Schools, land management and endangered species.

PILT counties: Feds may owe you money
U.S. House Appropriations Committee approves FY 2019 Interior and Environment Appropriations bill

County News Sections

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NACo BLOG
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BRIGHT IDEAS
SOLUTIONS SPOTLIGHT
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OFFICIAL NOTICE

The United States Court of Federal Claims has certified a CLASS ACTION lawsuit regarding your right to recover additional sums under the PAYMENTS IN LIEU OF TAXES ACT [PILT Act] for fiscal years 2015, 2016, and 2017.

This is not a solicitation from a lawyer.

The Court of Federal Claims, in the case of Kane County, Utah v. United States, Case Nos. 17-739C and 17-1991C (Consolidated) [the Lawsuit], has directed sending this notice to a Class made up of: “All ‘unit[s] of general local government,’ as defined in 31 U.S.C. § 6901(2), that received payment under 31 U.S.C. § 6902(a) of the Payment in Lieu of Taxes Act [PILT Act] in fiscal years 2015, 2016 and/or 2017.”

You are receiving this notice because you are a unit of local government believed (1) to be a member of that Class, and (2) to have been underpaid in those years.

The Lawsuit seeks to recover monies that the Court has determined that the federal government owes each Class Member for the underpayment of its respective PILT Act entitlement in fiscal years 2015, 2016, and/or 2017.

To obtain the money that the federal government owes you, without having to file your own lawsuit, you must submit a Class Action Opt-In Notice Form which can be done quickly and securely online at www.PILTPayments.com. You may also complete and return the enclosed copy of the Class Action Opt-In Notice Form by first class mail or pre-paid delivery service.

To participate in the Lawsuit, you must submit your completed Class Action Opt-In Notice no later than September 14, 2018.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

• This Notice has been sent to you by order of a federal court. Please read this Notice carefully and fully. It explains the opportunity you now have to join a Class Action Lawsuit currently pending before the Court.
• The Court is neither encouraging nor discouraging you to join the Lawsuit. You have the right to participate in the Lawsuit as a Class Member, or to do nothing and be excluded from the Lawsuit.
• **Please Note**: This particular Class Action differs from many other class actions in the United States because,

  o if you do nothing, you will **not** be able to participate in the Lawsuit, and  
  o the Court has already ruled that the federal government owes each Class Member for underpayments in fiscal years 2015, 2016, and/or 2017.

<table>
<thead>
<tr>
<th>SUMMARY OF YOUR RIGHTS AND OPTIONS IN THIS LAWSUIT</th>
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<tr>
<td><strong>ASK TO BE INCLUDED (OPT INTO THE CLASS ACTION LAWSUIT)</strong></td>
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</tr>
<tr>
<td><strong>DO NOTHING</strong></td>
</tr>
</tbody>
</table>

• Your rights and options, and the deadline to exercise them, are further explained below.

• This Notice may affect your legal rights. Read it carefully.
1. Why did I get this Notice?

The federal government’s records show that you are a unit of local government that received a payment pursuant to Section 6902 of the PILT Act in fiscal years 2015, 2016, and/or 2017. This Notice advises you that:

a. The Court has allowed, or “certified,” a Class Action Lawsuit against the United States to recover amounts which the Court has determined that the government was required to pay units of local government under 31 U.S.C. § 6902, but did not pay in full in fiscal years 2015, 2016 and 2017.

b. You are eligible to participate in the Lawsuit by completing and timely submitting a Class Action Opt-In Notice Form. The Form may be completed and submitted online at www.PILTPayments.com. Alternatively, you may complete the enclosed copy of that Class Action Opt-In Notice Form and submit it by first class mail or by pre-paid delivery service.

2. What is this Lawsuit about?

This Lawsuit is about whether the federal government was required to pay in full the amounts due to units of local government under Section 6902 of the PILT Act in fiscal years 2015, 2016, and 2017. The Class Representative (Kane County, Utah) contended that the federal government underpaid units of local government in those years, and that all Class Members are entitled to recover the underpayment amounts. The government denied that any units of local government were entitled to any additional PILT payments beyond the amounts already paid for those years.

3. What has the Court decided?

The Court has ruled that provisions of Section 6902 of the PILT Act obligated the federal government to pay eligible units of local government the full amounts calculated by a formula set forth in the Act even though Congress failed to appropriate sufficient funds to do so in fiscal years 2015 through 2017 (noting that Kane County had not challenged (and the decision did not therefore extend to) the portion the government’s reduction of its fiscal year 2015 PILT payments caused by the sequestration of part of the funds appropriated to make FY 2015 PILT payments). The Court granted summary judgment, in favor of the Class, as to the government’s liability for underpaying Class Members in those years. The Court has not yet determined the amount by which the Class as a whole, or any individual Class Member, was underpaid in those years. As of the date of this notice, Class Counsel
and counsel for the government have agreed on the amount of the underpayment in fiscal years 2015 and 2016, and anticipate reaching agreement on the amount of the underpayment in fiscal year 2017. The Court’s decision is subject to appeal.

4. **What is a Class Action and who is involved?**

In a class action, one or more Class Representatives (in this case, Kane County, Utah) sues on behalf of all Class Members (in this case, units of local government that receive PILT payments) who have the same or similar claims. Kane County and all other Class Members who choose to participate in the Lawsuit are the “Plaintiffs.” The United States is the “Defendant.” In a class action at the United States Court of Federal Claims, the Court resolves all issues for all Class Members who choose to participate in the Lawsuit. Here, that includes the Court’s decision that the government is liable, described in paragraph 3 above.

5. **Why is this lawsuit a Class Action?**

The Court has decided that this Lawsuit meets the requirements of Rule 23 of the Rules of the United States Court of Federal Claims, which governs class actions in that Court. Specifically, the Court has ruled that:

- The potential Class is so numerous that joinder of all Class Members is impractical;
- There are legal questions and facts common to each Class Member’s claim;
- The Class Representative’s claim is typical of the claims of other Class Members;
- The Class Representative, Kane County, Utah, and Class Counsel, Alan I. Saltman, a partner in the Washington, D.C. office of Smith, Currie & Hancock LLP, will fairly and adequately represent the interests of the Class;
- The common legal and factual questions predominate over questions affecting only individual Class Members; and
- This Class Action will be more efficient than having many individual lawsuits.

6. **What is requested in this Lawsuit?**

The Class Representative seeks, for itself and for all other Class Members who choose to participate in the Lawsuit, payment of the amounts by which each was underpaid in fiscal years 2015 through 2017. Class Counsel will also ask the Court for an award of attorney’s fees and expenses.
WHO MAY PARTICIPATE IN THE CLASS ACTION

7. Am I part of this Class Action Lawsuit?

You must decide whether you wish to participate in the Lawsuit. You cannot participate unless and until you fill out and submit—online, by first class mail, or by pre-paid delivery service—the Class Action Opt-In Notice Form found on the website www.PILTPayments.com. A copy of the Form is also enclosed. The Rules of the United States Court of Federal Claims require that Class Members choose whether to “opt into” the lawsuit. If you fit the description in the next question—and the government’s records indicate that you do—you may opt into and participate in this Lawsuit. If you do nothing, you will be excluded from the Lawsuit and will forfeit your right to receive any monies recovered in the Lawsuit.

8. Who can participate in the Lawsuit?

The Court has decided that the Class consists of:

“All ‘unit[s] of local government,’ as defined in 31 U.S.C. § 6901(2), that received payment under 31 U.S.C. § 6902(a) of the Payment in Lieu of Taxes Act in fiscal years 2015, 2016, and/or 2017.”

Any unit of local government meeting this definition may participate in this Lawsuit by timely submitting a completed Class Action Opt-In Notice Form.

9. Does participating in the Lawsuit cost any money?

No.

YOUR OPTIONS

10. How can I participate in this Lawsuit?

You can complete and submit your Class Action Opt-In Notice Form online at www.PILTPayments.com. Alternatively, you can complete the enclosed Class Action Opt-In Notice Form and send it by first class mail to: PILT Payments Class Action, P.O. Box 65876, Washington, D.C. 20035-5876; or by pre-paid delivery service to: PILT Payments Class Action, 1025 Connecticut Avenue NW, Suite 600, Washington, D.C. 20036. However you transmit it, you must submit your completed Form no later than September 14, 2018 if you wish to participate in the Lawsuit. Do not delay.
11. What happens once I choose to participate in this Lawsuit?
As a Class Member who chooses to participate in the lawsuit, you will be represented by Class Counsel, who will take all actions necessary to protect your rights. You will receive the benefit of, and be bound by, all rulings, orders, judgments entered, or settlements approved by the Court, whether favorable or unfavorable. You will not, however, be asked to make any out-of-pocket payment of attorney's fees or expenses in the case.

12. If I choose to participate in the Lawsuit, what will I be required to do?
After timely submitting a completed Class Action Opt-In Notice Form, the parties currently do not anticipate that you will have to do anything else.

13. What happens if I choose not to participate in the Lawsuit?
If you do not submit a completed Class Action Opt-In Notice Form online on or before September 14, 2018; by first class mail postmarked on or before September 14, 2018; or by pre-paid delivery service delivered no later than September 14, 2018, you will be barred from participating in the Lawsuit and will not be entitled to any portion of any monetary recovery by judgment or settlement of the Lawsuit. You will retain the right to sue the federal government on your own about the same legal claims made in the Lawsuit, and will not be bound by the Court's judgment in the Lawsuit. If you decide to pursue your claim independently, outside of this Lawsuit, you should consult an attorney and do so promptly because certain statutes of limitation may bar or limit your claim. If you choose to hire your own attorney, you will be responsible for paying the full cost of that attorney.

THE LAWYERS REPRESENTING YOU

14. If I choose to participate in the Lawsuit, do I have to hire a lawyer to represent me?
No. The Court has decided that Alan I. Saltman and the firm of Smith, Currie & Hancock LLP are qualified to represent you and all other Class Members who choose to participate. They are called “Class Counsel.” Mr. Saltman is experienced in handling similar cases against the federal government. If you choose to file a Class Action Opt-In Notice Form, you agree to legal representation by Mr. Saltman and his firm.

15. Should I hire my own lawyer?
If you decide to participate in the Lawsuit, you do not need to hire a lawyer because Class Counsel is and will continue working on your behalf. But you are permitted to hire your own lawyer if you would like to do so. For
example, you may have your own lawyer appear in Court if you want someone other than Class Counsel to speak for you. Of course, if you choose to hire your own lawyer, you will be responsible for paying the full cost of that lawyer.

16. **How will Class Counsel be paid?**

Class Counsel will submit a request for its fees and expenses to the Court. You will not have to pay any fees or expenses directly. The fees and expenses that the Court determines should be paid to Class Counsel, if any, might be deducted from the money obtained for the Class and might reduce the amount available for distribution to Class Members, and therefore reduce the amount of money you receive.

**LITIGATION INFORMATION**

17. **How and when will the Court decide the amount of the underpayments?**

Class Counsel and counsel for the government have already agreed on the amount of the underpayments in fiscal years 2015 and 2016, and anticipate that they will also reach agreement on the amount of the underpayment in fiscal year 2017. Should that not occur, Class Counsel will have to prove the amount of the underpayments in fiscal year 2017 at trial. No trial date has been set. The Court has not yet entered judgment in any amounts for any of the years involved in the Lawsuit.

18. **If there is a trial on damages, must I attend?**

If there is a trial on damages, you do not need to attend. Class Counsel will present the case on behalf of all Class Members participating in the Lawsuit. You and/or your own lawyer are welcome, and entitled, to attend at your own expense.

19. **When will I get any money from the lawsuit?**

After the Court has determined (a) which Class Members have chosen to participate in the lawsuit, (b) the underpayment amounts, and (c) the fees and expenses that should be paid to Class Counsel, you will be notified about how and when you will receive your payment. At this time, the parties do not know how long that will take, or whether there will be any appeal from the Court's decisions that could impact the entitlement, timing, or amount of any payments.
GETTING MORE INFORMATION

20. Is more information available from the Court?

The pleadings and other records in the Lawsuit may be examined during regular business hours at the Office of the Clerk of the United States Court of Federal Claims. The Court’s address is:

United States Court of Federal Claims
717 Madison Place, N.W.
Washington, D.C. 20005

THE COURT HAS INSTRUCTED THAT YOU SHOULD NOT CONTACT THE CLERK’S OFFICE BY TELEPHONE, E-MAIL, OR MAIL FOR INFORMATION ABOUT THIS CASE. Please do not contact the United States Court of Federal Claims with questions or requests for information.

21. Who can I contact if I have a question or need additional information?

Both a copy of the Court’s decisions on Kane County’s Motions for Summary Judgment, and its Order certifying the Class are also available at www.Smithcurrie.com/PILTPaymentsInfo.

Any questions you have can be submitted at www.Smithcurrie.com/PILTPaymentsInfo and Class Counsel will respond. The answers to Frequently Asked Questions, and to submitted questions of general interest, will also be posted there.
Class Action Opt-In Notice Form

UNITED STATES COURT OF FEDERAL CLAIMS
Kane County, Utah v. United States
Case Nos. 17-739C and 17-1991C (Consolidated)

1. To participate in this lawsuit as a Class Member, please fill out this form completely and legibly. It must be submitted, postmarked, or delivered no later than September 14, 2018.

See Paragraph 5 below for the addresses for (a) electronic submission via the internet; (b) first class mail; and (c) delivery by pre-paid delivery service.

2. Please fill in the name of the unit of local government [i.e., County, City, Town, Borough, Parish, etc.] opting into the Kane County, Utah v. United States Class Action lawsuit:

________________________________________  __________________________
Unit of local government           State

3. Please fill in the following information for the unit of local government:

Name of the person who will act as contact for the unit of local government regarding the Class Action lawsuit:

________________________________________
His /Her:  

Title  ____________________________________

Mailing
Address:  ____________________________________

Telephone number:______________________________

E-mail address:________________________________

4. By signing your name in the space below (or filling in an electronic signature in the format /s/ First name Last name if submitting via the internet) you are declaring under penalty of perjury under the laws of the United States that:

Page 1 of 2
(a) The unit of local government named above wishes to opt into the Class Action lawsuit:  *Kane County, Utah v. United States*, Case Nos. 17-739C and 17-1991-C (Consolidated).

(b) You are authorized by the unit of local government named above to sign this document on its behalf.

Sign Your Name: ___________________________ Date: ___________________________

Print/Type Your Name: _______________________________________________________________________

Your Position or title with the unit of local government: ____________________________________________

Your e-mail address: ____________________________________________

Your phone number: ____________________________________________

5. Submit this completed form to:

**On Line:**

by clicking “Submit” at [http://www.PILTpayments.com](http://www.PILTpayments.com)

- A copy of this Class Action Opt-In Notice Form may also be downloaded at this website.

**By First Class Mail:**

PILT Payments Class Action  
P. O. Box 65876  
Washington, D.C. 20035-5876

**Pre-paid Delivery Service:**

PILT Payments Class Action  
1025 Connecticut Avenue, N.W., Suite 600  
Washington, D.C. 20036
AGENDA REQUEST FORM

Date of Meeting: July 3, 2018

☑ County Board
☐ Consent Agenda
☑ Regular Agenda

☐ Personnel Committee
☐ Other ____________

Agenda Item: Award Contract #1802

Department: Pine County Public Works

Background information on Item:

Contract #1802
SAP 058-653-011 Located on CSAH 53 Between CSAH 7 and CSAH 11
CP 058-106-003 Located on CR 106 between CSAH 2 and TH 70
CP 058-122-001 Located on CR 122 between CSAH 53 and CSAH 11
CP 058-133-001 Located on CR 133 between CR 134 and CSAH 15
CP 058-134-001 Located on CR 134 between CH 133 and TH 48

Action Requested:

Award contract #1802 to the lowest responsible bidder in the amount as determined by the County Engineer

Financial Impact:

Projects funded in 2018 budget
AGENDA REQUEST FORM

Date of Meeting: ___July 3, 2018____________________

☐ County Board  ☐ Consent Agenda  ☑ Regular Agenda  5 mins. _XX__ 10 mins.___ 15 mins.___ Other___

☐ Personnel Committee  ☐ Other _____________

Agenda Item: _ __Elk Study Follow up______________________________

_____________________________________________________________

Department: __________ Administration

Department Head signature

Background information on Item:

At the June 19th county board meeting, Commissioner Ludwig requested information on the Elk Restoration Study.

Attached are:

1. An extract from the February 17, 2018 county board meeting Minutes
2. The April 14, 2015 Letter to the LCCMR supporting the application for funding the study
3. The elk presentation slides from the February 17, 2018 county board meeting
4. August 19, 2017 Duluth News Tribune Article on the study project

The URL to the project web page is: www.elk.umn.edu
E. **Sealing of the Land-O-Lakes Creamery Wells, Sandstone**

County Auditor-Treasurer Cathy Clemmer gave an overview of two wells on the former creamery property in Sandstone that need to be sealed. The goal is to complete this project by the summer of 2015. Grants are available to fund this project.

**Motion** by Commissioner Ludwig to approve proceeding forward and solicit bids in the process to seal the wells. Second by Commissioner Chaffee. Motion carried 5-0.

4. **Arrowhead Transit**

Presentation was given by Arrowhead Transit Director Jack Larson, Assistant Director Joe Gentile, and Supervisor Voni Smolke, updating ridership and services provided. It was noted ridership has increased significantly in Sandstone and Pine City since inception in Pine County. Ridership in Hinckley has not been as successful. Chair Hallan commented Arrowhead Transit does not require funds from Pine County.

5. **Fond du Lac/Elk Management**

Wildlife Biologist Mike Schrage from the Fond du Lac Resource Management Division presented information regarding reintroducing elk to areas including the Nemadji State Forest in Pine County.

**Motion** by Commissioner Ludwig to provide a letter of support for the Fond du Lac Resource Management Division to complete a feasibility study regarding reintroducing elk into portions of Pine County. Second by Commissioner Chaffee. Motion carried 4-1 with Commissioners Chaffee, Hallan, Ludwig, and Mohr voting yes and Commissioner Rossow voting no.

6. **Flood Closeout Report**

Land Services Director Kelly Schroeder reviewed the recovery of the 2012 flood in northern Pine County.

7. **Homeland Security and Emergency Management Award of Excellence for "Outstanding Commitment to Community Recovery"**

Chair Hallan presented Land Services Director Kelly Schroeder with the Homeland Security and Emergency Management Award of Excellence for “Outstanding Commitment to Community Recovery” by the Minnesota Department of Homeland Security and Emergency Management. Chair Hallan offered his appreciation to Schroeder for the work she does and noted only one award of this type was given throughout the entire State of Minnesota.

8. **Commissioner Update**

Law Library: No report.

East Central Regional Juvenile Center Advisory Committee: Commissioner Ludwig stated there were reserves at the end of 2014 and it was decided to use these reserves for maintenance.

Soil & Water Conservation District: Commissioner Ludwig stated there was discussion on wells. Two grants were received from the Board of Water and Soil Resources (BOSWR) and a forester grant.

Transportation Meeting/Rep. Nolan & MnDOT: Commissioner Rossow stated the Highway 70 project is projected to start in 2015. Chair Hallan noted it was a good meeting and funding affects the ability of projects to be completed.

East Central Solid Waste Commission: Chair Hallan stated bids are in for the expansion project.

East Central Regional Library Board: Commissioner Chaffee stated discussion was held about buildings and a librarian was hired for Hinckley.
April 14, 2015

LCCMR
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 65
St. Paul, MN 55155

Re: LCCMR Proposal “Restoration of Elk to Eastern Minnesota: A Feasibility Study”

Dear LCCMR Members:

On February 17, 2015 the Pine County Board of Commissioners approved sending a letter of support for the proposal by the University of Minnesota and the Fond du Lac Band of Lake Superior Chippewa to conduct a feasibility study for the restoration of elk to eastern Minnesota, including areas of Pine County.

Elk were once common across most of the state. Today, however, the elk numbers and range are only a fraction of their historic level. We are excited by this proposal to investigate the feasibility of returning elk to eastern Minnesota and believe the University and the Band have a sound proposal to study the issue. Returning wild elk to eastern Minnesota would mean restoring part of our traditional wildlife heritage and could provide significant ecological and economic benefits.

The county board believes that public attitudes towards elk and suitable habitat need to be considered and positive results for both aspects are needed before further steps towards elk restoration should be taken.

We strongly support this application, and urge LCCMR to recommend full funding for it.

Sincerely,

Stephen M. Hallan, Chair
Pine County Board of Commissioners

SMH/dg
Omashkoozoog

Returning a native. Building towards the future.

Minnesota elk range in 1800

Historical distribution for Ontario

LITERATURE REFERENCES

ANTIELS OR BONES

from A.W. Schrager, 1954
1900-32 ELK RANGE

1900 restricted to small populations northeast of
Thief River Falls
1932 last verified sighting of native elk in the
Northwest Angle

Why restore elk populations?
> Elk were native to eastern Minnesota
> Diversify and restore traditional wildlife heritage
> Diversify ecosystems
> Elk will survive climate change

Eastern elk restorations
Pennsylvania - 1913
Minnesota - 1914
Michigan - 1918
Arkansas - 1981
Wisconsin - 1995
Kentucky - 1997
Ontario - 1998
Tennessee - 2000
N. Carolina/GSMNP - 2001
Missouri - 2011
Virginia - 2012

Suitable Elk Habitat is....
> Determined by local govt., public and landowner
  acceptance
> Within the 1837 or 1854 Ceded Territories
> Large blocks of public land
> Dominated by forest with minimal agriculture
> Abundant young forest habitat
> Outside primary moose range
**Benefits of elk restoration**
- Elk were native to eastern Minnesota
- Diversity and restore traditional wildlife heritage
- Diversity ecosystems
- Elk will survive climate change
- Compatible with active forest management
- Potential for outside funding for forest mgmt
  - Lessard-Sams
  - RMEF
  - Elk tourism
  - Elk hunting

**Challenges for elk restoration**
- Gaining public, local govt, and state govt support
- No DNR support at this time
- Addressing potential agricultural damage and other concerns
- Raising funds
- Finding a disease-free elk herd and a willing donor
- Changes to land use and management
- Changes to political leadership
- Predation
- Disease
- Having patience

**First step... do feasibility studies**
- Do we have suitable habitat — where, how much of it, age and cover type, how will it be managed?
- Social acceptance — does the public support elk restoration? What are the concerns?
- Partner with University of Minnesota
- Seek funding from ENRTF in May 2015
- 3-4 year process to complete

**Feasibility studies do not mean elk are coming!**
- Provides hard numbers on habitat to discuss where best to restore elk
- Allows time to discuss elk restoration with public and local governments

**If suitable habitat exists and if the public and local governments support the idea,** the next steps include planning how to manage elk once here, raising funds, and finding a source herd(s).

Seeking your support to study whether the habitat exists and the public would support restoring elk to the area.
Researchers finding ample elk habitat in areas near Duluth

By John Myers on Aug 19, 2017 at 7:41 p.m.

FOND DU LAC RESERVATION — On a sunny, mid-August afternoon, Drew Erickson took a quick GPS reading and then bolted into the woods just off Moorehead Road, mosquitoes and swamps be damned.
Erickson, of Grand Rapids, is part of a crew of four wildlife technicians hired by the University of Minnesota who bushwhacked in to survey more than 100 forest plots in Carlton and St. Louis counties this summer to see what food might be available for elk.

The short answer? Lots. Grass and sedges to graze, young aspen and mountain maple to browse and plenty of room to roam.

"They're a pretty adaptive species. They eat a lot of different stuff," said James Forester, the assistant professor in the University of Minnesota's department of Fisheries, Wildlife and Conservation Biology who is overseeing the elk habitat study.

There hasn't been a wild elk in this part of Minnesota for 120 years or more. But the Fond du Lac Band of Lake Superior Chippewa has been moving in recent years toward a possible elk reintroduction, restoring the majestic animal to its home range where it once thrived before European settlers wiped them out.

Wildlife and forest resource managers have homed in on three potential elk reintroduction areas — the Cloquet Valley, Nemadji-St.Croix and Fond du Lac state forests. The three areas are comprised mostly of county, state and tribal forest lands with some potential Superior National Forest land in the far north, as well as parcels of private land throughout.

Erickson and his crewmates are surveying not just the types of potential elk food but the density of it, how much biomass is available. They are painstakingly keeping track of each stem and stalk at randomly picked sites, each a circle about 70 feet across, and repeating the count exactly the same way each time.

On this particular afternoon, their survey circle was full of big spruce, balsam and maple trees with a thick understory of shrubs and plants, ferns, grasses and sedges — and mosquitoes, making citronella and long sleeves a necessity.
This summer the crew has focused on public land. Next summer a survey crew will get permission to survey privately owned parcels.

What they have found so far was pretty much expected by Forester. He saw the same results when he studied habitat near Clam Lake, Wis. — about 100 miles to the east — where Wisconsin has had a successfully restored elk herd for more than 20 years.

It's a different forest, with more swamps and more conifer trees in Minnesota, but still with plenty of elk food.

"They thrived here before and there's no reason they can't again," Forester said of elk in eastern Minnesota. "Food probably isn't going to be the issue."

![Potential elk restoration areas](image)

### Public opinion key

The issue, if there is one for elk restoration, is how and where they will be accepted by people.
In addition to the habitat survey, Forester is working with University of Minnesota adjunct professor David Fulton to survey public opinion on elk restoration.

The project team has been holding informal meetings with landowners and other stakeholders in the region. In coming months 7,500 surveys will be mailed to landowners and residents across the proposed elk restoration area — namely southern St. Louis, Carlton and far northern Pine counties.

"It's not just a matter of finding what they will eat but where they will go and be accepted, where there will be minimal human/wildlife conflict," Forester said. "These things (elk) move, and they don't always go where you expect them to go. So it pays to make sure we pick the areas where they are most likely to stay out of trouble."

That includes staying out of farmer's hayfields, which could be an issue on some of the small farms located across the potential elk areas.

So far Wisconsin's Clam Lake herd in southern Ashland County has done a good job at staying out of trouble, so much so the state is bringing more elk into the area. But that hasn't been the case in northwestern Minnesota, where two Minnesota elk herds have wandered into farmer's fields and caused extensive damage to row crops, spurring state lawmakers to limit any expansion of elk in that area.

"That's the big reason that this part of (eastern) Minnesota really stands out as a good elk restoration site, because there isn't a lot of that kind of intensive agriculture," Forester said. "There's going to be a lot more benefit here and a lot less conflict."

That benefit should even include a boost in tourism, Forester notes, as people come to see if they can spot an elk and, someday, go elk hunting.
$1 million and 10 years

The elk restoration studies are funded by a joint state and tribal effort. Gov. Mark Dayton in 2016 signed the bill that allocates $300,000 for the effort from the state's lottery profits in the Environment and Natural Resources Trust Fund. The Rocky Mountain Elk Foundation added $15,000 with $32,000 from the Fond du Lac Band.

The final report is due to the Legislative-Citizen Commission on Minnesota Resources in June 2019.

Mike Schrage, Fond du Lac wildlife biologist heading the restoration effort, said it may cost another $1 million to actually bring elk to the region, if that happens — likely more than 200 animals introduced over several years.

The Minnesota DNR and county officials from St. Louis, Pine and Carlton counties already have given their backing for the studies to move forward, as have local hunting and conservation groups. But it may be years before any OK is given for the actual restoration, if it comes at all.

"I tell people that, if all goes well, we're in about year two or three of a 10-year process. It takes a while to work through all the steps, and that's how it should be," Schrage said. "We want to do this right."

Elk, whitetails get along

In addition to Wisconsin, several other eastern states have reintroduced wild elk herds — including Pennsylvania, Arkansas, Kentucky, Virginia, Missouri and Tennessee — and none have reported any negative impact on deer. Kentucky's elk herd is doing so well, at more than 10,000 animals, that they are willing to give
up animals to other states. Wisconsin has been adding elk from Kentucky in recent years, and that's a likely source for Minnesota elk, Forester said.

According to elk experts, elk and deer have different diets during the spring, summer and fall. While the diet overlaps during the winter, even then elk and deer generally forage in different areas.

Elk also are more able to withstand higher temperatures than moose, which are dwindling as Minnesota's climate warms. Elk also are much less susceptible to a brain worm carried by deer that, while harmless to deer, is often fatal to moose.

"Kentucky may have more than 11,000 elk now and they have a very healthy population of deer," Schrage said. "We haven't seen anything from any biologist in states with both elk and deer that says elk impact whitetail populations. Michigan has had elk back for 100 years now and you don't hear deer hunters complaining there at all."

Online

The eastern Minnesota elk project now has a website at www.elk.umn.edu (http://www.elk.umn.edu) and a Facebook page at www.facebook.com/NE.MN.elk (http://www.facebook.com/NE.MN.elk).