

**Tuesday, February 16, 2010 1:00 p.m. Public Health Building in Sandstone**

Vice-chairman Rossow called the meeting to order at 1:00 p.m. Present were Commissioners, Steven Chaffee, Stephen Hallan, and Ed Montbriand. Also present was Clerk to the County Board, County Coordinator Mark LeBrun. Excused was Chairman Doug Carlson.

The Pledge of Allegiance was said.

Vice-chairman Rossow called for public comment. No comment made.

Commissioner Hallan moved to adopt the agenda, Commissioner Chaffee seconded. Motion carried.

Commissioner Montbriand moved to approve the minutes of the February 2, 2010 regular county board meeting. Commissioner Chaffee seconded. Motion carried.

Commissioner Chaffee moved to approve the consent agenda, Commissioner Hallan seconded. Motion carried.

**Minutes of Boards, Committees and Board Memos, Newsletter**

1. Pine County Highway Department Monthly Maintenance Report, January 2010.
2. Personnel Committee meeting minutes, February 1, 2010.
3. Pine County HRA Sr. Housing meeting minutes, December 16, 2009

**\*\*CONSENT AGENDA\*\***

**Auditor**

1. Cash Balance as of January 31, 2010

Revenue Fund	\$ (268,879.61)
Human Services Fund	\$ 2,339,444.17
Road and Bridge Fund	\$ 2,707,138.56
Land Management Fund	\$ 1,342,876.64

2. Application for Abatement – Meagan Williams, 5816 Royal River Rd, Braham, PID #29.0171.004 and #29.5104.000 pay 2009. Glen and Christine Heintz, 55751 Forest Blvd. Rush City, MN PID #43.0472.004 pay 2010.

## **Land / Zoning**

1. Approval of the Rolling Oaks Final Plat.

## **Treasurer**

1. December 31, 2009 Cash Deposit and Investment Report.

## **\*\*REGULAR AGENDA\*\***

### **Veterans Services**

Veterans Service Officer Dean Dronen presented a request to attend the National Association of County Veterans Service Officers, June 5 – 12, Bloomington, MN. Approximate cost of \$240.00 which includes registration, membership fee and mileage. Commissioner Hallan motioned to approve the request as presented. Commissioner Chaffee seconded, motion carried.

### **Auditor**

County Auditor Cathy Clemmer presented a request for Terry Lovgren and herself to attend the Secretary of State's 2010 Auditor Training Conference, May 5-6, Cragun's Resort, Brainerd, MN. No lodging costs, mileage reimbursement only. Commissioner Montbriand motioned to approve the request. Commissioner Hallan seconded, motion carried.

### **Sheriff**

Chief Deputy Steve Ovick reported that the study for the consolidation of Public Safety Answering Point's (PSAP) will now be moving forward as an RFP has been published for Pine and Carlton counties. Migration toward 800 MHz was further discussed along with bonding. Chief Deputy Ovick announced that if any community is interested in a weather alert siren to contact him at the Sheriff's Office.

### **Land/Zoning**

Land/Zoning Administrator Kurt Schneider presented a resolution in support of the Northern Pine Riders Snowmobile Club request for Mn DNR capital improvement grant funding. Commissioner Hallan motioned to approve and adopt said resolution. Commissioner Chaffee seconded. Resolution passed unanimously.

**RESOLUTION IN SUPPORT OF THE NORTHERN PINE RIDERS  
SNOWMOBILE CLUB - MN DNR CAPITAL IMPROVEMENT  
GRANT REQUEST**

**WHEREAS**, the Northern Pine Riders Snowmobile Club of Willow River, MN, provides 156 miles of public snowmobile trails in Pine County, MN, and,

**WHEREAS**, Northern Pine Riders Snowmobile Club of Willow River, MN, is seeking a MN Dept of Natural Resources Capital Improvement Grant for the purpose widening approximately 3 miles of trail in the General Andrews State Forest, and,

**WHEREAS**, the Pine County Board of Commissioners recognizes the positive economic and recreational value of these snowmobile trails for our citizens and area businesses,

**NOW, THEREFORE, BE IT RESOLVED:**

The Pine County Board of Commissioners agrees to:

1. Act as the legal sponsor and supports said Club in its effort to obtain said grant;
2. Authorize the Board Chairman and/or staff to sign and enter into an agreement with the State of Minnesota if said grant is approved;
3. Comply with all applicable laws and regulations as stated in said agreement;
4. Appoint Cathy J. Clemmer, Pine County Auditor to act as the fiscal agent for the Pine County Board of Commissioners if said grant is approved.

Land/Zoning Administrator Kurt Schneider presented a resolution for the classification of Tax-forfeited lands. Land/Zoning Administrator Schneider explained the Land/Zoning Committee has evaluated and developed classifications for the parcels and added that Memorial designation was established for nearly 65% of the total acreage. Commissioner Hallan motioned to approve and adopt said resolution. Commissioner Chaffee seconded. Resolution passed unanimously.

**Resolution #021610 - 02  
Pine County  
Tax Forfeit Land Classification**

**WHEREAS**, Pine County is required by Minnesota Statute 282.01 to classify lands that have forfeited for nonpayment of taxes as “Conservation” or “Nonconservation”; and

**WHEREAS**, Minnesota Statute 459.06 states any county may by resolution of the county board set aside tax-forfeited land which is more suitable for forest purposes than for any other purpose and dedicate said lands as a memorial forest; and

**WHEREAS**, Land Department staff and the Land and Zoning Committee consisting of Chairman Carlson and Commissioner Rossow have evaluated tax-forfeit land for Conservation, Nonconservation, and Conservation/Memorial Forest designation; and

**WHEREAS**, the Committee reviewed a working map of proposed tax forfeit land classification designations resulting in the creation of the attached corresponding land classification parcel list; and

**WHEREAS**, the Land Department shall maintain a land classification map of tax forfeit lands for the purpose of ongoing review and classification of individual parcels as may be directed by resolution of the County Board.

**NOW THEREFORE BE IT RESOLVED**, by the Pine County Board of Commissioners that the parcel listing of Conservation and Conservation/Memorial Forest forfeit lands attached hereto shall serve to classify all identified lands as listed; and

**BE IT FURTHER RESOLVED**, that all tax forfeit lands not identified on the parcel list attached hereto shall be classified as Nonconservation until such time that they may be reclassified by resolution of the County Board.

### **Public Works**

Coordinator/Engineer LeBrun presented a training request for Sherri Pangerl Anderson at the 2010 MN County Highway Accountants Conference April 28-30, Willmar, MN. Conference registration and lodging costs of \$492.75. Commissioner Montbriand motioned to approve the request as presented. Commissioner Chaffee seconded, motion carried.

### **Coordinator**

Coordinator LeBrun presented a resolution for approval and adoption allowing the transfer of \$94,017 in Tax-forfeit Land proceeds to the General Fund. Coordinator LeBrun reiterated that legislation is allowing for the transfer of the amount the State reduced County Program Aid in 2009. Commissioner Hallan motioned to approve and adopt the resolution allowing the transfer of funds. Commissioner Chaffee seconded. Resolution passed unanimously.

#### Resolution Authorizing the Transfer of Tax-forfeited Funds to the General Revenue Fund #021610-03

Whereas, Minnesota Statute 282.08, Subd. 4, Subp. B allows for a portion of the net proceeds from the sale or rental of tax-forfeited lands to replace all or a portion of the amount of county program aid or credit reimbursement that the county was to receive but did not due to aid cuts or unallotments from the state, and

Whereas, the State of Minnesota has unallotted \$94,017 of the second-half payable County Program Aid for FY 2009, and,

Whereas, it is not the intent of the Pine County Board to distribute the financial burden among the property owners of the county.

Now, Therefore, Be It Resolved, that the Pine County Board is hereby authorizing the County Auditor and County Treasurer to transfer \$94,017 from the Tax-forfeited Land Fund into the General Revenue fund.

Coordinator LeBrun introduced Terry Peterson and Harvey Lindstrom representatives of local snowmobile clubs. Mr. Peterson stated the club was issued a permit to work within the rights-of-way of county roadways. Mr. Peterson stated his opposition to language contained in the permit requiring the club to receive land-owner consent prior to the removal of objects within the right-of-way. Coordinator LeBrun and County Attorney John Carlson addressed the issue of right-of-way width, tree diameter, and utilities equipment. Coordinator LeBrun explained that the particular area of concern is County Road 43. Mr. Peterson asked if the club may be permitted to ride against traffic after dark to avoid the area of concern. Vice-chairman Rossow advised the clubs to seek land-owner permission in accordance with permit language or seek permitting to operate on the opposite side of the roadway and also thanked the representatives for bringing the matter to the Board's attention.

Coordinator LeBrun presented a County Engineer job description. Coordinator LeBrun stated the Personnel Committee is recommending the position be graded E81 and would no longer be combined as Engineer/Public Works Director. Coordinator LeBrun would remain the Public Works Director overseeing all operations and budget of the Public Works Department. Coordinator LeBrun stated he will not be resigning as County Engineer until the position has been successfully filled. Commissioner Montbriand motioned to advertise for the position of County Engineer, graded as recommended by the Personnel Committee, E81. Commissioner Chaffee seconded. Vice-Chairman Rossow called for discussion. Commissioner Hallan questioned the structure of the department and if it was changing. Coordinator LeBrun stated the approval would include the structural change in the Public Works Department and the position title of Coordinator/Public Works Director E91 salary remaining unchanged. Commissioner Montbriand thanked Coordinator LeBrun for holding four management positions for the past two years. Commissioner Montbriand amended his original motion to approve the restructure of the Public Works Department and to advertise for the position of County Engineer. Commissioner Chaffee seconded the amended motion. Motion carried.

Coordinator LeBrun requested the authorization and approval to hire Peter Umbreit, Part-time Building Maintenance Worker effective February 22, 2010, B21, Step 1, \$12.70/hr. Commissioner Hallan motioned to authorize and approve the hiring as presented. Commissioner Chaffee seconded, motion carried.

### **County Attorney**

County Attorney John Carlson presented for ratification, the revised City of Hinckley Policing contract, which has been approved by each entities legal counsel. County Attorney Carlson explained the amendments made to the contract and stated if approved the same contract language would be provide to each of the contracting cities and township. Commissioner Chaffee motioned to approve the contract as presented. Commissioner Montbriand seconded, motion carried.

County Attorney Carlson presented extensive documentation on the history of Schmedeke Lane. County Attorney Carlson stated the road was constructed on what was believed to be the section line and after surveying was found to lie approximately 60' to the west and on the Bob and Barbara Jensen property. County Attorney Carlson presented a list of options if the County Board desired to resolve the situation for the parties involved. Vice-chairman Rossow motioned to conduct a land exchange with the Jensen's, and through special legislation sell property up to the Lane to the Greenly's and also to sell Eldon and Marjorie Schmedeke an 8 acre strip of land parallel to the Lane 132' wide extending through two 40-acre parcels. Commissioner Hallan seconded. Coordinator LeBrun added that legislation may not occur this year for the sale of the land. Motion carried.

Commissioner Montbriand motioned to revoke the previous board action authorizing the road to be moved to the section line. Commissioner Chaffee seconded, motion carried.

Vice-chairman Rossow called for a 5-minute recess before convening into closed session.

Commissioner Hallan motioned to proceed with closed session in accordance with MN Statutes 13D.05, Subd 2 (a)(3) and 13D.05, Subd 2(a)(2) at 3:02 p.m. Commissioner Chaffee seconded. Motion carried.

Commissioner Hallan motioned to conclude closed session at 4:00 p.m. Commissioner Chaffee seconded. Motion carried.

### **Upcoming Meetings Announced**

Arrowhead Counties Association meeting, Wednesday February 17, 2010, 6:00 p.m.  
Hampton Inn, Duluth, MN

Management Team meeting, Tuesday, February 22, 2010, 9:00 a.m. Jury Assembly room,  
Pine County Courthouse, Pine City, MN

Northern Lights Express meeting, Wednesday February 24, 2010, 10:00 a.m. Boardroom,  
Pine County, Courthouse Pine City, MN

With no further business Vice-chairman Rossow adjourned the County Board meeting at 4:01 p.m., until the next scheduled County Board Meeting on March 2, 2010 at 10:00 a.m. in the Boardroom of the Pine County Courthouse.