

**MINUTES OF PINE COUNTY BOARD MEETING**

**Regular Meeting**

**Tuesday, April 17, 2012 1:00 p.m. Public Health Building, Sandstone, MN**

Chairman Chaffee called the meeting to order at 1:00 p.m. Present were Commissioners, Doug Carlson, Curt Rossow, Stephen Hallan, and Mitch Pangerl. Also present was County Administrator Mark LeBrun and County Attorney John Carlson.

The Pledge of Allegiance was said.

Chairman Chaffee called for public comment. Don Slama commented on poor maintenance of culverts and ditches and stated the County does not need a high paid County Administrator. Joe Vanek presented information on tuckpointing the Pine Government Center. Ray McQuiston commented against giving money to the Pine County Historical Society.

Commissioner Pangerl motioned to remove item #1 under County Administrator from the Consent Agenda to be placed on the Regular Agenda. Commissioner Carlson seconded, motion carried.

Commissioner Rossow moved to adopt the amended agenda, Commissioner Pangerl seconded, motion carried.

Commissioner Rossow moved to approve the minutes of the April 3, 2012 Board meeting. Commissioner Carlson seconded, motion carried.

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

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

1. ECRL Library Board Minutes, March, 2012
2. Personnel Committee Minutes, April, 2012
3. Pine County HHS Advisory Committee Minutes, March, 2012

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

**Auditor**

1. Cash Balance as of March 31, 2012

Revenue Fund	\$ (592,027.30)
Health and Human Services Fund	\$ 1,717,665.97
Road and Bridge Fund	\$ 7,489,547.41
Land Management Fund	\$ 1,055,066.79

2. Approve Temporary 3.2 liquor licenses for Jack Pine Riders for July 13-15, 2012
3. Applications for Abatement –  
Thane & Catherine Sheetz, 37392 Shoreland Rd N, Sturgeon Lake, PID 33.0372.000,  
pay 2011 & 2012  
LCF Funding I, LLC, City of Pine City, various parcels, pay 2010  
Pine City Bottle Cap Condos, LLC, City of Pine City, various parcels, pay 2009-2012

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

### **Sheriff**

Sheriff Cole presented for approval the resignation of Patrol Deputy Christopher Erickson effective April 30, 2012 and requested immediate replacement. Commissioner Rossow motioned to approve as presented. Chairman Chaffee seconded, motion carried.

Sheriff Cole presented for approval the resignation of Full- time Jail Sergeant Lloyd Otte and approve transfer to Part-time Court Security Officer effective April 4, 2012 and approve immediate replacement. Chairman Chaffee motioned to approve as presented. Commissioner Hallan seconded, motion carried.

Sheriff Cole presented the resignation of Full-time Corrections Officer Rick Maitrejean and approve transfer to Part-time Corrections Officer effective May 20, 2012 and approve immediate replacement. Commissioner Rossow motioned to approve as presented. Commissioner Hallan seconded, motion carried.

Sheriff Cole presented information on out of state travel of Office Manager Denise Baran to Maryland and Patrol Deputy Ouverson and Patrol Sergeant Nelson to Illinois.

Sheriff Cole presented information on Tornado drills planned on April 19<sup>th</sup>.

### **Public Works**

Acting Engineer LeBrun presented for approval the 2012 Equipment Rental bids. Chairman Chaffee motioned to approve as presented. Commissioner Rossow seconded, motion carried.

Acting Engineer LeBrun presented the 2012-2016 Road Construction Program for approval. Chairman Chaffee motioned to approve as presented. Commissioner Rossow seconded, motion carried.

## Auditor/Treasurer

Chairman Chaffee opened the public hearing at 1:35 p.m. Auditor/Treasurer Clemmer presented information and redistricting plans. Public comment was taken. Terry Croup stated the county is in compliance and shouldn't change the districts and questioned if politics is playing a role in getting rid of Commissioner Pangerl. Aileen Croup asked if there had been enough notification and suggested something additional be put in the newspapers. Joe Vanek commented that it was well published. Terry Croup stated changing districts is all about politics. No formal action was taken.

## Land/Zoning

Land/Zoning Administrator Schneider presented the 2012 Timber Auction terms, conditions, and tracts for approval. Commissioner Rossow motioned to approve as presented. Commissioner Pangerl seconded, motion carried.

Land/Zoning Administrator Schneider presented a resolution for the 2012 Tax Forfeit Land Sale Tract classification and distribution. Commissioner Carlson motioned to approve resolution as presented. Commissioner Hallan seconded, resolution passed unanimously.

### **Resolution #041712-2**

**WHEREAS**, The Pine County Board of Commissioners desires to offer for sale the attached Pine County 2012 Land Sale List of lands for sale pursuant to M.S.292; and

**WHEREAS**, The Pine County Board of Commissioners desires to classify all such 2012 Land Sale List lands that have forfeited to the State of Minnesota for non-payment of taxes as Non-Conservation;

**WHEREAS**, distribution of the Pine County 2012 Land Sale List of lands to local units of government and the Minnesota Department of Natural Resources shall commence at the direction of the County Board.

**THEREFORE BE IT RESOLVED**, that the Pine County Board of Commissioners, pursuant to M.S. 282, hereby:

1. Classifies the attached listed lands as Non-Conservation lands;
2. Authorizes and directs distribution of the 2012 Land Sale List to local to local units of government for review; and
3. Requests review and approval from the Minnesota Department of Natural Resources for the sale of said lands; and

Authorizes the appraisals and sale preparations of the attached listed tax forfeit properties in anticipation of 2012 auction sale

Land/Zoning Administrator Schneider presented information and a letter of support for a forest management project. Commissioner Rossow motioned to approve the letter as presented. Commissioner Hallan seconded, motion carried.

Land/Zoning Administrator Schneider presented a resolution for the 2011 Tax Forfeit Land Sale Tract withdrawal. Commissioner Rossow motioned to approve resolution as presented. Commissioner Carlson seconded, resolution passed unanimously.

**Resolution #041712-1**

**WHEREAS**, as provided by Minnesota Statute 282.01, Subd. 7; Pine County wishes to withdraw the sale of select parcels of land offered at the September 23, 2011 Pine County Land Auction; and

**WHEREAS**, those parcels selected to be withdrawn shall be re-appraised and re-offered for sale at the 2012 tax forfeit land auction; and

**WHEREAS**, those parcels not selected to be withdrawn shall remain for sale indefinitely at the appraised values, and terms & conditions, as listed in the 2011 Pine County Land Auction Resolution.

**THEREFORE BE IT RESOLVED**, that the Pine County Board of Commissioners hereby:

1. Proclaims that Tracts 5,8,9,15,17,27, and 31 as so listed on the attached 2011 Landsale List shall remain for sale indefinitely in accordance with the 2011 Landsale land auction terms and conditions until sold or otherwise withdrawn;
2. Establishes July 13, 2012, as the date all un-sold tracts offered at the 2011 Pine County Land Auction, with the exception of tracts 5,8,9,15,17,27, and 31, as so listed above, shall be withdrawn, re-appraised, and prepared to be re-offered at the 2012 tax forfeit land auction;
3. Acknowledges the attached 2011 Landsale List as a true and correct list to be attached and made part of said resolution for the purpose of detailing 2011 Tracts Sold, 2011 Tracts to Be Re-Appraised & Re-Offered, and 2011 Tracts to Remain For Sale Indefinitely.

Land/Zoning Administrator Schneider presented information on the 2012 Land Sale and request authorization to proceed. Commissioner Carlson motioned to approve as presented. Commissioner Rossow seconded, motion carried.

County Forester Beck provided an update on current timber harvesting operations.

**Administrator**

Administrator LeBrun presented for approval a resolution setting a Capital Improvement Plan Public Hearing on May 15<sup>th</sup> at 1:30 pm in Sandstone, MN. Commissioner Hallan introduced the following resolution and moved its adoption, which motion was seconded by Chairman Chaffee:

**RESOLUTION CALLING FOR A PUBLIC HEARING ON THE CAPITAL IMPROVEMENT PLAN  
AND AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION CAPITAL  
IMPROVEMENT PLAN BONDS**

**BE IT RESOLVED** by the Board of County Commissioners of Pine County, Minnesota (the County), as follows:

1. Approval of the 2012 to 2017 Capital Improvement Plan. The County has prepared and intends to approve its Capital Improvement Plan (the CIP) pursuant to Minnesota Statutes, Section 373.40.
2. Approval of the Issuance of Capital Improvement Plan Bonds. The County intends to issue its capital improvement plan bonds (the Bonds) to refund outstanding bonds of the Pine County HRA, as described in the CIP, pursuant to Minnesota Statutes, Section 373.40.
3. Public Hearing. A public hearing is hereby scheduled to be held on the approval of the CIP and the issuance of the Bonds at 1:30 p.m. on May 15, 2012, at the Pine County Public Health/Public Works Building, in Sandstone, Minnesota. The County Administrator is hereby authorized and directed to cause notice of such public hearing in substantially the form of the attached hereto to be published in the official newspaper of the County not less than fourteen (14) days nor more than twenty-eight (28) days prior to the date of the hearing.

APPROVED:

\_\_\_\_\_  
Steven Chaffee, Chairman

ATTEST:

\_\_\_\_\_  
Mark LeBrun, County Administrator

NOTICE OF PUBLIC HEARING ON APPROVAL OF THE CAPITAL IMPROVEMENT PLAN  
AND THE ISSUANCE OF CAPITAL IMPROVEMENT PLAN BONDS PURSUANT TO  
MINNESOTA STATUTES, SECTION 373.40

Notice is hereby given that the Board of County Commissioners of Pine County, Minnesota (the County), will meet at 1:30 p.m. on May 15, 2012, at the Pine County Public Health/Public Works Building, 1610 Hwy 23 N, Sandstone, Minnesota, to conduct a public hearing to obtain public comment on the County's intention to approve the County's 2012 through 2017 Capital Improvement Plan (the CIP) and issue capital improvement plan bonds (the Bonds) pursuant to Minnesota Statutes, Section 373.40, for the purpose of refinancing the Pine County Courthouse by refunding and prepaying the Pine County Housing and Redevelopment Authority's lease revenue bonds to achieve annual debt service savings, thereby acquiring that facility from the HRA.

If a petition requesting a vote on the issuance of the Bonds is signed by voters equal to five percent of the votes cast in the County at the last general election and filed with the County Auditor within thirty (30) days after the public hearing, the County may issue the Bonds only after obtaining the approval of a majority of the voters voting on the question of issuing the Bonds.

Copies of the proposed CIP and resolution are on file and may be inspected at the Pine County Government Center during normal business hours. All interested parties are invited to attend the public hearing or to provide written comments to the undersigned, which written comments will be considered at the hearing.

Questions regarding this matter may be referred to Mark LeBrun, County Administrator, at (320) 591-1621.

BY ORDER OF THE COUNTY BOARD  
PINE COUNTY, MINNESOTA  
/s/ Mark LeBrun,  
County Administrator

Administrator LeBrun presented for approval a PERA resolution for eligible Sheriff's Deputy Zachary Libra. Commissioner Hallan motioned to approve the resolution as presented. Commissioner Rossow seconded, resolution passed unanimously.

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners, of the County of Pine hereby declares that the position of Deputy Sheriff, currently held by Zachary Libra meet all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and these employees are so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges these employees with the prevention and detection of crime;
4. Said position gives these employees the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the named employees be accepted as members of the Public Employees Police and Fire Plan effective the date of these employees' initial Police and Fire Plan salary deduction by the governmental subdivision.

Administrator LeBrun presented a written request from Assistant County Engineer, Chuck Daher to approve an exception from Pine County Policy #28. Issue and Policy was referred to County Attorney Carlson for review and recommendation.

Commissioner Pangerl requested policy of audio recording board meetings be considered. Chairman Chaffee referred issue to the Technology Committee for consideration and review.

Discussion was held on the request for additional funding for the Pine County Historical Society. Commissioner Pangerl motioned to keep the 2012 contribution at \$10,000. Motion died for lack of second. Commissioner Carlson motioned to contribute \$20,000 in 2012 to the Pine County Historical Society. Commissioner Rossow seconded, Roll call vote called by Chairman Chaffee:

District 1 – Yes

District 2 – No

District 3 – Yes

District 4 – Yes

District 5 – Yes

Motion carried.

## **Commissioner's Report**

Commissioner Rossow commented on a good Land Committee meeting.

## **Upcoming Meetings Announced**

Arrowhead Counties Association meeting, Wednesday, April 18, 2012, 6:00 p.m., Hampton Inn, Duluth, MN

Management Team meeting, Tuesday, April 24, 2012, 9:00 a.m. Jury Assembly Room, Pine County Courthouse, Pine City, MN

NLX meeting, Wednesday, April 25, 2012, 10:00 a.m. Boardroom, Pine County Courthouse, Pine City, MN

Pine County Board meeting, Tuesday, May 1, 2012, 10:00 a.m. Boardroom, Pine County Courthouse, Pine City, MN

With no further business, Chairman Chaffee adjourned the County Board meeting at 2:58 p.m., until the next scheduled County Board Meeting on May 1, 2012 at 10:00 a.m. in the Boardroom of the Pine County Courthouse.

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Mark LeBrun, Administrator  
Clerk to County Board

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Steve Chaffee, Chair  
Board of County Commissioners