

# PROCEEDINGS OF THE COUNTY BOARD

State of Minnesota }  
County of Kanabec }  
Office of County Coordinator

**April 24, 2013**

The Kanabec County Board of Commissioners met at 9:00am on Wednesday, April 24, 2013 pursuant to adjournment with the following Board Members present: Kim Smith, Gene Anderson, Les Nielsen, Kevin Troupe, and Kathi Ellis

The Chairperson led the assembly in the Pledge of Allegiance.

Action #1 – It was moved by Kim Smith, seconded by Gene Anderson and carried unanimously to approve the agenda as presented.

Action #2 – It was moved by Les Nielsen, seconded by Kevin Troupe and carried unanimously to approve the April 10, 2013 minutes of the Kanabec County Board of Commissioners as presented.

Action #3 – It was moved by Kim Smith, seconded by Gene Anderson and carried unanimously to approve the following resolution:

## **Resolution #3 – 04/24/13**

### SCORE CLAIMS

**WHEREAS** the board has been presented with claims for recycling efforts to be paid from SCORE Funds, and

**WHEREAS** these claims have been reviewed, tabulated and approved by the Kanabec County Solid Waste Officer, and

**WHEREAS** SCORE Funds appear adequate for the purpose;

**BE IT RESOLVED** to approve payment of the following March, 2013 claims on SCORE Funds:

Quality Disposal	\$2,401.60
Knife Lake Sanitation	\$439.00
Arthur Township	\$400.00
Total	\$3,240.60

Action #4 – It was moved by Gene Anderson, seconded by Kevin Troupe and carried unanimously to approve the following paid claims:

<b>Vendor</b>	<b>Amount</b>
Centerpoint Energy	78.00
Great America Leasing	1,280.57
Midcontinent Communications	1,438.67
MN Energy Resources Corp	8,265.27
Resource Training & Solutions	5,286.00
Verizon Wireless	1,613.30
Wynn Law Firm	63.75
Total	<u>18,025.56</u>

Action #5 – It was moved by Kim Smith, seconded by Les Nielsen and carried unanimously to approve the following claims on the funds indicated:

### **Revenue Fund**

<b>VENDOR</b>	<b>AMOUNT</b>
Ace Hardware	38.56
Advanced Correctional Healthcare	596.46
Ahlgren & Bangma	10.00
Ahlgren & Bangma	10.00
Aitkin County CARE	90.00
Aitkin County CARE	30.00
Akkerman-Ingebrand Funeral Home	600.00
Allina Health Systems	85.00
American Solutions for Business	101.31
Amundson, Pauline	642.91
Anoka County Juvenile Center	1,074.00
Arnoldi, Sandra	223.40
Arrowwood Resort	246.90
A'viands LLC	8,925.65
A'viands LLC	65.00
Bear Graphics	408.68
Briggs	308.20
Byrant, Donna	2,671.87
Byrant, Donna	504.34
Carrot-Top Industries	159.87
CDW-G	585.98
CDW-G	182.41
Christianson, Craig	598.73
Coborns	25.56
Colburn, Judy	101.70
Curtis, Bonnie	20.00
Curtis, Michael	248.65

Don's Towing	90.84
Druar, Dan	486.63
East Central Exterminating	256.80
East Central Regional Juvenile Center	14,912.00
ECM Publishers	188.00
Faust, Patrick	705.70
First Light Health System	2,090.00
Geisthardt, Betty	281.84
Government Management Group	3,675.00
Grainger	587.05
Grainger	266.25
Granite City Jobbing Co	1,232.54
Granite City Jobbing Co	85.09
Hass Construction	180.00
Hawkins, Dorothy	713.88
Health Dimensions Rehabilitation	179.14
Hinckley News	8.75
Hoefert, Bob	1,616.57
Hood, Barb	555.01
Hood, Bill	479.25
Hopkins Medical Products	1,299.39
Hopkins Medical Products	195.90
Ivans	66.26
Kanabec Co Auditor's Office	300.00
Kanabec Co Hwy Dept	143.36
Kanabec Co Hwy Dept	72.31
Kanabec Co Hwy Dept	121.10
Kanabec Co IS	420.09
Kanabec Co Public Health	88,733.26
Kanabec Publications	3,183.93
Kanabec Publications	75.00
Kanabec Publications	9.91
Kanabec Publications	127.18
Kanabec Publications	307.80
Keeps	107.31
Koch's Hardware	101.46
Kroschel Land Surveyors	1,000.00
Landreville, Willard	959.50
Lerrssen, Jennifer	404.46
Magaard, Robert	877.02
Manthie, Mark	118.65
Marco	1,224.00
Marco	183.60

Marco	774.20
Marco	260.10
Marco	382.50
Marco	12,284.80
Mattson Electric	326.87
MCCC	228.48
McFadden, Barb	64.45
Milaca Chiropractic Center	70.00
Minnesota CLE	143.21
Minnesota UI	5,957.38
Moore Medical	127.13
Moore Medical	109.78
Mora Unclaimed Freight	10.69
Nelson, Ansel	899.31
Nelson, Jerry	252.36
Nelson, Ronette	585.11
Neopost Great Plains	830.96
Newgard, Jean	282.79
Nurse Family Partnership	20,079.00
Oak Gallery	13.77
Office Depot	193.61
Office Depot	71.06
Office Depot	74.30
Ogilvie Public Schools	707.05
Oslin Lumber	33.35
Perlick, Lisa	1,160.00
Phoenix Supply	460.52
Pieper, Rollie	1,340.86
Pine City Schools	5,000.00
Pine Co Health & Human Services	64,410.49
Pine County SWCD	200.00
Prasnicki, Deb	81.20
Printing Services	145.89
Raiche, Barb	587.60
Ratwik, Roszak, & Maloney, PA	49.50
Regents of the University of MN	11.76
Reliance Telephone	1,400.00
Rogers, Pearl	487.49
RS Eden	227.75
Rupp, Anderson, Squires & Waldspurger, PA	751.80
S&T	2,765.93
S&T	127.20

S&T	254.40
S&T	381.60
S&T	127.20
S&T	378.00
S&T	31.11
S&T	56.02
S&T	20.22
Schulz, Steve	752.92
SelectAccount	279.99
Sentry Security Fasteners	45.00
Sherwin Williams	192.37
Southern Computer Warehouse	1,276.00
State of Minnesota Treasurer	196,791.33
Stellar Services	1,000.70
Strandberg, Richard	284.03
Streichers	110.98
Swanson, Jeremy	349.25
Swift	25.18
Tadych, Marge	909.76
Thompson, Brent	225.00
Thomson Reuters West	244.80
TigerDirect	3,062.42
Town & Country Finance	2,117.40
Triple M Lawn & Snow	440.00
Twin City Hardware	366.36
West Payment Center	1,177.00
Wickeham, Teresa	98.79
Zamora, Ray	1,545.47
Total	<u>483,690.56</u>

Commissioners gave reports on the activities of the Boards and Committees in which they participate.

Action #6 – It was moved by Kim Smith, seconded by Kevin Troupe and carried unanimously to recess the board meeting at 9:15am to a time immediately following the Human Service Board.

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The Kanabec County **Human Service Board** met at **9:15am** on Wednesday, April 24, 2013 pursuant to adjournment with the following Board Members present: Les Nielsen, Gene Anderson, Kim Smith, Kevin Troupe, and Kathi Ellis. Health & Human Service Director Wendy Thompson presented the Human Services agenda.

Action #HS7 – It was moved by Kim Smith, seconded by Les Nielsen and carried unanimously to approve the Human Service Board agenda as presented.

Action #HS8 – It was moved by Les Nielsen, seconded by Kim Smith and carried unanimously to approve the following resolution:

### **Resolution #HS8 – 04/24/13**

**WHEREAS** there is a vacancy in the position of a Case Aide, and

**WHEREAS** the board desires to refill this vacant position;

**BE IT RESOLVED** that the County Board authorizes the Health and Human Services Director and the County Personnel Director to hire a Case Aide to refill the vacant position at Step A, Range 6 of the pay plan which is \$14.30 per hour or the rate set by rule for internal promotion, and

**BE IT FURTHER RESOLVED** that the hours of work for this position be limited to those budgeted, and

**BE IT FURTHER RESOLVED** to authorize the Health and Human Services Director and the County Personnel Director to refill any subsequent vacancies that may occur within the department due to internal promotion.

Action #HS9 – It was moved by Kevin Troupe, seconded by Gene Anderson and carried unanimously to approve payment of 144 claims totaling \$202,742.73 on Welfare Funds.

Action #HS10 – It was moved by Kim Smith, seconded by Les Nielsen and carried unanimously to adjourn the Human Service Board at 9:44am to meet again on Wednesday, May 22, 2013 at 9:05am.

The Board of Commissioners meeting continued.

Action #11 – It was moved by Les Nielsen, seconded by Kevin Troupe and carried unanimously to authorize the purchase of a network printer for Public Health for a cost not to exceed \$12,000.

Action #12 – It was moved by Kim Smith, seconded by Kevin Troupe and carried unanimously to approve the following resolution:

### **Resolution #12 – 04/24/13**

Bethel University MOUs for ITV Site and Corporate Partnership

**WHEREAS,** Kanabec County Public Health represents Kanabec County as a member on the Health Care Alliance, whose mission is to partner with K-12, higher education, healthcare providers, and the workforce center system striving to ensure there are qualified healthcare professionals to meet the future needs of East Central Minnesota and Western Wisconsin;

**WHEREAS,** the region, that includes Minnesota counties Chisago, Isanti, Kanabec, Mille Lacs, and Pine, and Wisconsin's Burnett and Polk counties has been identified as an area that will see significant negative impact within the health care industry now and in the coming years due to escalating numbers of retirees, a growing demand for health care, fewer workers and increased unemployment rates;

**WHEREAS,** through this Alliance Pine Technical College has contracted with Bethel University's College of Adult and Professional Studies (CAPS) and graduate school (GS) to provide courses and programs for working adults seeking to further their professional education in this underserved region;

**WHEREAS,** Kanabec County may have employees and/or learners who may desire to continue their education and complete an undergraduate or graduate degree;

**WHEREAS,** Bethel CAPS/GS desires to enter into this Memorandum of Understanding regarding the terms upon which it will make available specific education instruction to the County's employees;

**WHEREAS,** Bethel University agrees to partner with Kanabec County to make the pursuit of further education easier for the County's employees through an undergraduate degree program or masters' program by offering a Corporate Partnership Scholarship to eligible students; and

**WHEREAS,** it is in the best interest of Kanabec County to provide a training site where students can learn and develop skills and qualifications needed to achieve the student's occupational goals and satisfy program requirements while assisting in the development of trained personnel to meet future area employment needs;

**THEREFORE BE IT RESOLVED** to approve Kanabec County to enter into an agreement with Bethel University to provide an ITV site and Corporate Partner for learners who desire to continue their education in Kanabec County effective April 22, 2013 through April 21, 2014; and

**BE IT FURTHER RESOLVED** to authorize the County Coordinator to sign the agreement on behalf of the county.

Assistant County Attorney Barb McFadden and Health Educators Karla Filibeck and Lori Swanson met with the County Board to discuss matters concerning Ordinance 27. The Board to the information under advisement.

County Auditor/Treasurer Denise Cooper met with the County Board to discuss matters concerning her department.

Action #13 – It was moved by Kevin Troupe, seconded by Kim Smith and carried unanimously to approve the following resolution:

### **Resolution #13 – 04/24/13**

#### Donations

**WHEREAS** certain county departments received donation in 2012, and

**WHEREAS** the County Auditor/Treasurer has monitored and tabulated all donations received;

**BE IT RESOLVED** to accept the following donations for the calendar year 2012:

#### **KANABEC COUNTY DONATIONS 2012**

SHERIFF			
	Sheriff	\$2,000.00	
	Reserves	\$3,205.00	
Total Sheriff Donations			\$5,205.00
TRANSIT	Transit MNDOT	\$5,584.35	
Total VA/EM Donations			\$5,584.35
PUBLIC HEALTH	Hospice	\$19,297.57	
	Senior Health	\$5,856.25	
Total Public Health Donations			\$25,153.82
Total Donations to County in 2012			<u>\$35,943.17</u>
AGENCY FUNDS	KLID	\$15,138.14	
Total Donations to Agency Funds 2012			<u>\$15,138.14</u>

#### **Change Funds 2012**

Auditor-Treasurer	Cash drawer	\$500.00
Drivers-License	Cash drawer	\$100.00
Highway	Cash drawer	\$75.00

\$675.00

**KANABEC COUNTY - ROUTINE EFTS  
2012**

	<u>County</u>	
SelectAccount	Medical Reimbursement & HRA account	
County	claims	bi-weekly
	Direct deposit payroll	bi-weekly
MNDOR	State payroll, sales & use, state general	
EFTP	taxes	bi-weekly, quarterly, monthly
	Federal payroll taxes	bi-weekly
MSRS	State Deferred Compensation plan, SO	
IRS	Union	bi-weekly
USDA	Recorders fees	anytime
State of MN	Recorders fees	anytime
Dept of Justice	Medicare payment PH	anytime
MNDOR	Federal grant payments	anytime
Medicare	Revenue recapture	anytime
	FS & PH patient claims	anytime
	FS & PH federal program	
US Treasury	pymts	anytime
Simplifile	Recorders fees	anytime
Wells Fargo	Property taxes mass escrow	anytime
CoreLogic	Property taxes mass escrow	anytime
	<u>Hospital</u>	
Cerdian	Flex/medical reimbursement claims	weekly
Delta Dental	Dental premiums	monthly
ADPNY	Deferred comp deposits	bi-weekly
	State payroll, sales & use	
MNDOR	taxes	bi-weekly, quarterly, monthly
EFTP	Federal payroll taxes	bi-weekly
State of MN	Medicare payments	daily
MSRS	State Deferred Compensation plan	bi-weekly
Health Insurance	Self Funded	weekly
Medica	Patient claims	daily
BCBS	Patient claims	daily
	Credit card processing	
Bankcard	kickbacks	anytime
Healthpartners	Patient claims	daily
MNDOR	Revenue recapture	anytime

Action #14 – It was moved by Les Nielsen, seconded by Kim Smith and carried unanimously to approve the following resolution:

## **Resolution #14 – 04/24/13**

### Restricted and Assigned Funds

**WHEREAS** the county maintains funds dedicated for specific public purposes, and

**WHEREAS** the Auditor/Treasurer prepared a report for the board showing the fund balances;

**BE IT RESOLVED** to accept the following report of Kanabec County Restricted and assigned Fund Balances as of December 31, 2012:

### **KANABEC COUNTY RESTRICTED & ASSIGNED FUNDS 2012**

	<b>RESTRICTED FUNDS</b>	<b>12/31/12</b>
R	911 EMERGENCY	53,764
R	CWP SEPTIC LOANS	140,836
R	FORFEITURE FUNDS - ATTORNEY	19,895
R	FORFEITURE FUNDS - SHERIFF	73,867
R	LAND OFFICE TECH EQUIPMENT	194,140
R	LAW LIBRARY	17,659
R	PROBATION CORRECTIONAL FEES	-3,655
R	RECORDER'S EQUIPMENT	120,157
R	RURAL ADDRESSING	464
R	SCORE	111,421
R	SHERIFF EQUIP GRANT	0
R	SHORELAND GRANT	4,090
R	LANDFILL BONDS (ECSWC)	0
R	SW SURCHARGES	1,739,415
R	WATER PLAN GRANT	15,071
R	WETLAND GRANT	25,103
	<b>UNRESTRICTED - ASSIGNED FUNDS</b>	
A	FUTURE CAPITAL EQUIPMENT	124,316
A	FUTURE CAPITAL IMPROVEMENTS	73,519
A	LEGAL FEE FUND ORD 27	0
A	PUBLIC HEALTH COPIER	7,573
A	RETIREE ACCRUED SICK PAY	49,108
A	SHERIFFS RESERVE UNIT	15,229
A	TRANSIT	48,917
A	VEHICLE POOL	43,084
	<b>TOTAL</b>	<b>2,873,972</b>

Action #15 – It was moved by Kim Smith, seconded by Kevin Troupe and carried unanimously to approve the following resolution:

## Resolution #15 – 4/24/13

Certified County Budget for 2013

WHEREAS the Kanabec County Board of Commissioners has adopted the 2013 budget and tax levy, and

WHEREAS the 2013 Budget needs to reflect County program aid.

BE IT THEREFORE RESOLVED by the Kanabec County Board of Commissioners that the County Auditor/Treasurer is authorized to revise the 2013 budget to reflect County program aid.

2013 BUDGET SUMMARY	2012 NET	Expend.	Receipts	from Fund Balance	NET 2013 BUDGET	Difference
<b>Assessor</b>	146,839	291,751	87,700	0	204,051	\$57,212
<b>Attorney</b>	480,662	593,858	101,400		492,458	\$11,796
<b>Auditor/Treasurer</b>						
Office	427,870	442,001	25,000		417,001	
Elections	29,600	29,925	0		29,925	
Mainframe Expenses	82,650	87,910	4,500	0	83,410	
<b>Auditor/Treasurer Total</b>	540,120	559,836	29,500	0	530,336	-\$9,784
<b>Commissioners</b>	163,354	170,478	2,800	0	167,678	\$4,324
<b>Coordinator</b>						
Maintenance	471,465	530,281	41,776		488,505	
Coordinator (Office)	225,826	300,802	25,575		275,227	
<b>County Coordinator Total</b>	696,489	831,083	67,351	0	763,732	\$67,243
<b>Court Administrator</b>	48,350	43,000			43,000	-\$5,350
<b>Culture &amp; Recreation</b>	9,000	8,750			8,750	-\$250
<b>E Central Reg Library</b>	163,875	153,404			153,404	-\$10,471
<b>Environmental Services</b>						
Office	40,199	143,133	123,012		20,121	
Water Plan	0	18,064	18,064		0	
Wetlands	0	41,568	41,568		0	
Shorelands	0	8,180	8,180		0	
ISTS	0	18,941	18,941		0	
<b>Env. Services Total</b>	40,199	229,886	209,765		20,121	-\$20,078
<b>Extension</b>	62,773	64,035			64,035	\$1,262
<b>Information Systems</b>	236,912	289,580	50,200		239,380	\$2,468
<b>Law Library</b>	-3,300	18,250	18,250		0	\$3,300
<b>Probation</b>						
Office	271,012	424,547	144,954		279,593	
Probation Fees	0	12,500	12,500		0	

<b>Probation Total</b>	271,012	437,047	157,454	0	279,593	<b>\$8,581</b>
<b>Public Health Service</b>	240,115	2,272,676	2,023,375		249,301	<b>\$9,186</b>
<b>Recorder</b>	28,849	148,626	111,000		37,626	<b>\$8,777</b>
<b>Sanitation</b>	0	88,718	88,718		0	<b>\$0</b>
<b>Sheriff</b>						
Law Enforcement	1,093,668	1,831,442	761,299	0	1,070,143	
Boat & Water	7,156	13,906	6,750	0	7,156	
Snowmobile	1,125	4,691	3,566	0	1,125	
ATV	191	3,229	3,229	0	0	
Reserves	100	100	0	0	100	
Coroner	40,000	40,000	0	0	40,000	
Jail	2,064,385	2,477,751	184,000	0	2,293,751	
E-911 System	0	86,736		85,200	1,536	
<b>Sheriff's Total</b>	3,206,625	4,457,855	958,844	85,200	3,413,811	<b>\$207,186</b>
<b>Surveyor</b>	10,000	15,000		5,000	10,000	<b>\$0</b>
<b>Transit</b>	14,650	1,205,428	1,255,428		-50,000	<b>-\$64,650</b>
<b>Unallocated</b>	-519,600	423,426	1,704,313	0	-1,280,887	<b>-\$761,287</b>
<b>Vet's Ser, Emer Manage</b>	57,963	72,057	16,000	0	56,057	<b>-\$1,906</b>
<b>Revenue Fund Totals</b>	<b>5,894,887</b>	<b>12,374,744</b>	<b>6,882,098</b>	<b>90,200</b>	<b>5,402,446</b>	<b>-\$492,441</b>
<b>Road &amp; Bridge Fund</b>	<b>2,343,064</b>	<b>5,412,900</b>	<b>3,007,000</b>	<b>77,900</b>	<b>2,328,000</b>	<b>-\$15,064</b>
<b>Welfare Fund</b>	<b>2,320,956</b>	<b>5,157,369</b>	<b>2,850,439</b>	<b>379,000</b>	<b>1,927,930</b>	<b>-\$393,026</b>
<b>Railroad Authority</b>	<b>0</b>	<b>1,446</b>		<b>0</b>	<b>1,446</b>	<b>\$1,446</b>
<b>Building Fund</b>	<b>879,392</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-\$879,392</b>
<b>Bond Fund</b>	<b>178,740</b>	<b>1,063,582</b>	<b>5,450</b>	<b>0</b>	<b>1,058,132</b>	<b>\$879,392</b>
<b>TOTALS:</b>	<b>11,617,039</b>	<b>24,010,041</b>	<b>12,744,987</b>	<b>547,100</b>	<b>10,717,954</b>	<b>-\$899,085</b>
Program Aid	772,966					<b>-\$772,966</b>
<b>NET LEVY =</b>	<b>10,834,528</b>			<b>NET LEVY =</b>	<b>10,717,954</b>	<b>-\$116,574</b>

**10:35am** - The Chairperson then called for public comment three times. Those that responded included:

Bob Swetz	Questions regarding school board project issuance.
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**10:45am** - The Chairperson closed public comment.

Michelle Bollenbeck with the Hwy 65 Coalition met with the County Board to give an update on the programs sponsored by the coalition.

Marie Grundberg and Terry Lind with the Braham Area Community Center Task Force Committee met with the County Board to give an update on the Community Center construction project.

Public Works Director Chad Gramentz met with the County Board to discuss matters concerning his department.

Action #16 – It was moved by Kevin Troupe, seconded by Kim Smith and carried unanimously to approve the following resolution:

**Resolution #16 – 04/24/13**

Equipment Rental Bids

**WHEREAS** bids were received and opened on April 9, 2013 for equipment rental rates and crushing, and

**WHEREAS** long term equipment rental quotes were received and presented before the board, and

**WHEREAS** Kanabec County may require various equipment throughout the year;

**BE IT RESOLVED** to accept all bids and quotes as submitted, and

**BE IT FURTHER RESOLVED** that the Public Works Director is directed to utilize the bids as necessary based on the availability of the lowest responsible bid.

Action #17 – It was moved by Les Nielsen, seconded by Gene Anderson and carried unanimously to approve the following resolution:

**Resolution #17 – 04/24/13**

Sign Inventory Quotes

**WHEREAS** the following quotes were received for signs and supplies:

Newman Signs.....	\$13,195.27
MR Signs.....	\$16,108.28

**BE IT RESOLVED** to accept the low quote of \$13,195.27 submitted by Newman Signs.

Action #18 – It was moved by Les Nielsen, seconded by Kim Smith and carried unanimously to approve the following resolution:

**Resolution #18 – 04/24/13**

Advertise for Bids SP 088-070-029

**WHEREAS** the Kanabec County Board of Commissioners wish to proceed with SP 088-070-029, a joint highway safety project with Isanti County, consisting of chevron installation at highway curves, and

**WHEREAS** plans, specifications, and proposals have been prepared for this work

**BE IT RESOLVED** to authorize the County Engineer to advertise for bids for these projects.

Action #19 – It was moved by Gene Anderson, seconded by Kevin Troupe and carried unanimously to approve the following resolution:

### **Resolution #19 – 04/24/13**

Right-Of-Way Claims

**WHEREAS** the County Board has been presented with a request to pay right-of-way claims for SAP 33-605-018 for the reconstruction of CSAH No. 5 from CSAH No. 19 to CSAH No. 3;

**BE IT RESOLVED** to pay the following right-of-way claims:

Barbara Steiner	\$1,245.00
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Action #20 – It was moved by Gene Anderson, seconded by Kim Smith and carried unanimously to approve the following resolution:

### **Resolution #20 – 04/24/13**

Diesel Fuel

**WHEREAS** the following quotes were received for diesel fuel:

Eggens Direct Service	\$3.0482
Federated Coop	\$3.0900

**WHEREAS** the quote of \$3.0482 per gallon provided by Eggens Direct Service was the lowest quote;

**BE IT RESOLVED** to accept the low quote of \$3.0482 per gallon by Eggens Direct Service.

Action #21 – It was moved by Les Nielsen, seconded by Gene Anderson and carried unanimously to approve the following resolution:

## **Resolution #21 – 04/24/13**

**BE IT RESOLVED** to close the meeting at 12:00 p.m. pursuant to Minnesota Statute §13D.03 to consider strategy for labor negotiations, including negotiation strategies or developments and discussion and review of labor negotiation proposals, conducted pursuant to sections §179A.01 to §179A.25.

Those present during the closed portion of the meeting included Commissioners Kevin Troupe, Gene Anderson, Les Nielsen, Kathi Ellis and Kim Smith. Also present were County Coordinator & Personnel Director Patrick Christopherson and Assistant County Attorney Barb McFadden.

Action #22 – It was moved by Les Nielsen, seconded by Gene Anderson and carried unanimously to re-open the meeting at 12:20 p.m.

Action #23 - It was moved by Kevin Troupe, seconded by Kim Smith and carried unanimously to recess the board meeting at 12:21pm to a time immediately following the Kanabec County Regional Rail Authority.

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The Kanabec County Regional Rail Authority met at **12:21pm** on Wednesday, April 24, 2013 pursuant to Public Notice with the following Board Members present: Kathi Ellis, Les Nielsen, Kim Smith, Gene Anderson, and Kevin Troupe.

Action #RR24 – It was moved by Les Nielsen, seconded by Kevin Troupe and carried unanimously to approve the agenda as presented.

Action #RR25 – It was moved by Les Nielsen, seconded by Gene Anderson and carried unanimously to approve the following resolution:

## **Resolution #RR25 – 04/24/13**

**WHEREAS**, Kanabec County holds certain rights to certain Railroad ROW in the city of Mora described as follows:

Lots 14 through 20, Auditor's Subdivision No. 11 Kanabec County, Minnesota.

Lots 22 and 23, Auditor's Subdivision No. 11, Kanabec County, Minnesota, except the following: Beginning at a point 570.83 feet West of the Northeast corner of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section 12, Township 39, Range 24, thence west along the north line of said Southwest Quarter of Southwest Quarter a distance of 75 feet, thence South parallel with the East line of said Southwest Quarter of Southwest Quarter a distance of 167 feet, thence east parallel with the north line of said Southwest Quarter of Southwest Quarter a distance of 75 feet to the intersection with a line run south parallel with the east line of said

Southwest Quarter of Southwest Quarter from the point of beginning, thence north parallel with said east line 167 feet to the point of beginning.

Lots 2 and 3, Block 3, Auditor's Subdivision No. 12, Kanabec County, Minnesota.

Lots 1 and 2, Block 2, Mora Utilities 1st Addition, Kanabec County, Minnesota.

Lots 1 and 2, Block 2, Auditor's Subdivision No. 12, Kanabec County, Minnesota, and the vacated east 15 feet of Oak Street lying west of said Lots 1 and 2, and that part of the Southeast Quarter of the Southeast Quarter (SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>) of Section 11, Township 39, Range 24, Kanabec County, Minnesota, described as follows: Commencing at a point 150 feet south of the center line of the main railroad track of the Great Northern Railway Company, on the east line of Oak Street in Kent's Addition to the Village of Mora according to the plat thereof on file and of record in the office of the Register of Deeds in and for Kanabec County, Minnesota, thence running east 50 feet on a line parallel with the center line of the main track of the railroad of the Great Northern Railway Company, and 150 feet distant therefrom, thence running south 120 feet to the point of beginning, thence running west 50 feet to the east line of said Oak Street, thence south along the east line of said Oak Street to a point 278 feet south of the center line of the main track of the Great Northern Railway Company, thence east 50 feet, thence north on a line parallel to the east line of Oak Street and 50 feet distant therefrom to the point of beginning

Lot 6, Block 2, Spring Brook Golf Estates.

**WHEREAS**, Aries Investments LLC dba Bluewater Yachts owns adjoining property and has buildings on the County's parcel described above and wishes to sell its business and allow its successor to continue to use said buildings for the purpose of manufacturing boats;

**WHEREAS**, there is no existing lease or other agreement granting either Aries Investments LLC or Bluewater Yachts any right, title or interest in or to the County's property; and

**WHEREAS**, the parties desire to enter into an agreement that will provide Aries Investments LLC dba Bluewater Yachts the ability to transfer to a buyer of its business the legal right to possess the property under certain conditions;

**THEREFORE, BE IT RESOLVED** that the Kanabec County Board of Commissioners will sign a Memorandum of Understanding (MOU) with Aries Investments LLC dba Bluewater Yachts to lease said parcel to a successor business;

**BE IT FURTHER RESOLVED** that this lease will be signed with the registered business that is the buyer of Aries Investments LLC dba Bluewater Yachts' business; and

**BE IT FURTHER RESOLVED** that the lease will include the following conditions:

- 1) the lease will have a length determined by Kanabec County but to be no less than 25 years;
- 2) the cost of the lease will be \$1.00 per year payable on the first business day following January first of the year;
- 3) ALL real property and personal property taxes due and payable by lessee for property owned or possessed by lessee in Kanabec County in each year of the lease shall be paid on time and in full, and failure to pay taxes due will cause this MOU and any lease to become null and void upon notification of said failure;
- 4) ALL delinquent taxes need to be paid;
- 5) Any buildings located on this property will be destroyed in the event that the lease is canceled (or expires) for cause at the expense of the lessee;
- 6) There will be no restrictions on the use of property leased from the County or the buildings located thereon except those contained in state, federal or local laws and regulations, and any use that causes hazardous waste clean-up will be at lessee's expense;
- 7) The lessee will carry general liability insurance in the minimum amount of \$1,000,000.00 and Kanabec County listed as an additional insured on the policy;
- 8) The term of the MOU is from the date of execution until August 31, 2014, at which time the MOU expires, and in the event that a lease is not signed, buildings or other structures now owned by the County and which are located thereon must be removed from the County's property at the sole expense of Aries Investments LLC dba Bluewater Yachts, or its successors, heirs or assigns.

Action #RR26 – It was moved by Kevin Troupe, seconded by Gene Anderson and carried unanimously to adjourn the Regional Rail Authority at 12:52pm.

The Board of Commissioners meeting continued.

Action #27 – It was moved by Les Nielsen, seconded by Kim Smith and carried unanimously to adjourn at 12:54 pm and to meet again in regular session on Wednesday, May 8, 2013 at 9:00am.

*Signed* \_\_\_\_\_  
Chairperson of the Kanabec County Board of Commissioners,

Kanabec County, Minnesota

*Attest:* \_\_\_\_\_  
Board Clerk