

Chairperson Oslin called the meeting to order at 9:10 a.m., with the following members present: Commissioners Reynolds, Oslin, Tellinghuisen, and Peterson; Commissioner Wilhelm attended via teleconference from 17700 Hayden Road, Scottsdale, AZ 85257. The Pledge of Allegiance was recited.

County Clerk Eric Bartusch noted there is one amendment and seven additions to the agenda:

- 5.8 Approve Revising position Description (amendment)
- 5.9 Approve Rum River Longbeards' Request for Gambling Permit
- 5.10 Consider Agreement Between Minnesota Department of Revenue and Mille Lacs County for Collection of a Local Transit Sales and Use Tax
- 5.11 Consider Entering into a Retainer Agreement for Legal Services
- 5.12 Consider Assigning Interim County Auditor-Treasurer Duties to the County Coordinator
- 5.13 Authorize Closure of County Road 1 in Bock on July 4, 2021
- 5.14 Consider Closed Session for CD4 Settlement Discussion

Cmsr Reynolds motioned to accept the agenda as amended; Cmsr Wilhelm seconded. A roll call vote was called; Cmsr Wilhelm, Reynolds, Oslin, Tellinghuisen, and Peterson voted aye. Motion carried.

#### CONSENT AGENDA

A motion was made by Cmsr Wilhelm, seconded by Cmsr Tellinghuisen, to approve the following consent agenda items. A roll call vote was called, Commissioners Wilhelm, Reynolds, Oslin, Tellinghuisen and Peterson voted aye. Motion carried.

- Approve 06/01/2021 County Board Meeting Minutes
- Review of Auditor's Warrants in the amount of \$4,193,154.16
- Accept Annual County Boat and Water Safety Grant in the amount of \$9,785.00
- Approve CAO Transcription Agreement for the amount of \$18.50 per hour.
- Schedule Public hearing Regarding Changes to SSTS Ordinance for July 6, 2021.
- County Employee Resignation Summary-Information Only
- Probation Department Office Coordinator Vacancy-Information Only
- Approve Updated Committee Updates
- Approve Payment to Counsel for Legal Services to Taft in the amount of \$23,669.86.
- Approve Payment to Counsel for Legal Services to Taft in the amount of \$3,098.00.

#### CONSIDER REVISED RESOLUTION TO APPROVE VARIANCE FOR MATCH PORTION OF THE REDUCED CONFLICT INTERSECTION CONSTRUCTION

County Engineer Neal Knopik reviewed the variance regarding the match portion the County is responsible for. Commissioner Peterson motioned to adopt revised resolution No. 2021-6-15-21-13 approve Variance for Mille Lacs County's Portion of Reduced Conflict Intersection (RCI) Costs; Commissioner Wilhelm seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

*Board of County Commissioners*

*Mille Lacs County, Minnesota*

*RESOLUTION PWD 2021-6-15-21-13*

*APPROVE VARIANCE FOR MILLE LACS COUNTY'S PORTION OF REDUCTED CONFLICT INTERSECTION (RCI) COSTS*

*A resolution requesting a variance for State Aid Operation for Project No. S.A.P. 048-070-012 – Reduced Conflict Intersections along TH 169.*

*WHEREAS, the County of Mille Lacs would like to request State Aid funds to cover the participation costs; and*

*WHEREAS, this request was made after the improvements were made, which requires the County to ask for a variance to the State Aid office; and*

*WHEREAS, the variance is based on the expenditures for SAP 048-070-012 in the amount of \$308,047.16.*

*NOW, THEREFORE BE IT RESOLVED, that the County Board of Commissioners do hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.2800 subpart 2a Eligibility of Funds to allow use of State Aid Funds to cover the local match portion in the amount of \$308,047.16.*

*BE IT FURTHER RESOLVED, that the County of Mille Lacs Board of Commissioners hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and*

*employees of and from claims, demands, actions, or causes of action arising out of or by reason of (project descriptions) in accordance with Minnesota Rules 8820.99XX and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.*

**Certification**

*I hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted by Mille Lacs County on this 15th day of June, 2021.*

**CONSIDER REFLECTORIZED PAVEMENT COATINGS CONTRACT**

County Engineer Neal Knopik reviewed the companies that submitted bids. AAA striping Services at \$95,233.35 and Traffic Marking Services at \$104,105.00. Knopik reviewed the contract. Commissioner Oslin asked what the time line for this would be. Knopik stated they plan to start immediately. Commissioner Tellinghuisen motioned to approve the ReflectORIZED Pavement Coatings Contract to AAA Striping Services for \$95,233.35; Commissioner Reynolds seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**CONSIDER PWD RESOLUTION NO. 2021-6-15-21-12 TO ACCEPT 101 GRADING, BASE, AND BITUMINOUS SURFACING PROJECT**

County Engineer Neal Knopik reviewed the resolution. Commissioner Peterson asked for clarification regarding the liquidated assets. Commissioner Wilhelm motioned to adopt Resolution No. 2021-6-15-21-12 to Accept 101 Grading, Base, and Bituminous Surfacing Project; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, and Oslin voted aye. Commissioner Peterson voted nay. Motion carried.

*Board of County Commissioners  
 Mille Lacs County, Minnesota*

*ACCEPTANCE OF CP 048-101-018 – 101 Grading, Base and  
 Bituminous Surfacing Project  
 PWD Resolution No. 2021-6-15-21-12*

*WHEREAS, CA 048-101-018, Contract No. 201901, 101 Grading, Base and  
 Bituminous Surfacing Project by Knife River, 4787 Shadow Wood Drive NE,  
 Sauk Rapids, MN 56379; located on County Road 101; original contract cost was  
 \$3,381,737.55 and the final contract cost is \$3,433,086.67; and the County  
 Board being fully advised,*

*NOW THEREFORE, BE IT RESOLVED, that we do hereby accept said  
 completed project for Mille Lacs County and authorize final payment.*

**CONSIDER RESOLUTION NO. 06-15-2021-01 2020 END-OF-YEAR DITCH FUND TRANSFERS**

County Land Services Director Chris Berg reviewed the resolution and the delay in the transfers. Commissioner Wilhelm motioned to adopt Resolution No. 06-15-2021-01 2020 End-of-Year Ditch Fund Transfers; Commissioner Peterson seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

*Board of County Commissioners  
 Mille Lacs County, Minnesota  
 Resolution No.: 06-15-2021-01*

**2020 END-OF-YEAR DITCH FUND TRANSFERS**

*WHEREAS, the Mille Lacs County Board, acting as the Ditch Authority, must approve reimbursement from applicable ditch funds to Environmental Resources for expenses incurred for ditch work.*

*To Environmental Resources:*

County Ditch 1	\$1,942.80
County Ditch 2B	\$2,202.00
County Ditch 3	\$2,233.20
County Ditch 4	\$1,338.00
County Ditch 5	\$792.00
County Ditch 6	\$114.00
County Ditch 7	\$426.00
County Ditch 11	\$27.85
County Ditch 14B	\$817.20

*NOW THEREFORE; BE IT RESOLVED that the following payments and transfers shall be effective December 31, 2020:*

*From Account: To Account: Amount*

12-651-6803, CD1	01-617-5591	\$1,942.80
12-652-001-6803, CD2B	01-617-5591	\$2,202.00
12-653-6803, CD3	01-617-5591	\$2,233.20
12-654-6803, CD4	01-617-5591	\$1,338.00

12-655-6803, CD5	01-617-5591	\$792.00
12-656-6803, CD6	01-617-5591	\$114.00
12-657-6803, CD7	01-617-5591	\$426.00
12-661-6803, CD11	01-617-5591	\$27.85
12-664-001-6803, CD14B	01-617-5591	\$817.20

**APPROVE LIQUOR, BEER, & WINE LICENSES**

County Auditor-Treasurer Eric Bartusch reviewed the licenses for J&D Ventures DBA: Old Log Liquor, Pocket Inc DBA: Princeton Lanes, Northwood Hills golf Course LLC DBA: Northwood Hills Gold, Veterans Club Inc. DBA: Veterans Club, Rocky Reef Resort Inc. DBA: Rocky Reef Resort, Norther Lights Ballroom/Banquet Center DBA: Northern Lights Ballroom/Banquet Center, Porland Corporation DBA: Trophy’s, Appeldoorn’s Sunset Bay Resort Inc. DBA: Appeldoorn’s Sunset Bay Resort Building 25, Magnuson Incorporation DBA: Moonshine Bar & Grill, Milaca Golf Course DBA: Milaca Golf Course, Chico’s Place of Onamia Inc. DBA: Chico’s Place, Richard James Robertson DBA: White Cap Inn, Appledoorn’s Sunset Bay Resort Inc. DBA: Appledoorn’s Sunset Bat Resort Building 17, and Izaty’s Acquisition Corp DBA: Izatys Golf & Yacht Club. Commissioner Reynolds motioned to approve Liquor, Beer & Wine Licenses; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**CONSIDER CIVIC CLERK AGENDA MANAGEMENT SYSTEM**

County Technology Services Manager Michael Virnig presented the agenda management system. Virnig stated there were three different software programs benchmarked. Civic Clerk was the top choice made by staff. Virnig reviewed the benefits. Commissioner Reynolds asked if the software will be user friendly for the public. Virnig stated the software is user friendly, and also has other key benefits that the public would be able to utilize that are not currently available. The total cost for Civic Clerk Agenda Management System is \$7,328 and can be purchased with ARP (American Rescue Plan) funds. Commissioner Reynolds motioned to approve Civic Clerk Agenda Management System; Commissioner Wilhelm seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**APPROVE TOBACCO LICENSES**

County Auditor-Treasurer Eric Bartusch reviewed the licenses for Alkire Inc DBA: Bock Garage, Aadhira LLC DBA: Lake Stop, Wahkon Inn Bar & Restaurant, D & L Express, Inc. Commissioner Wilhelm motioned to approve Tobacco Licenses; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**APPROVE REVISING POSITION DESCRIPTION**

Human Resource Manager Karly Fetters reviewed the revised position description of Assistant County Administrator/Personnel Director to that of Human Resources Manager. Commissioner Reynolds motioned to approve Revising Position Description; Commissioner Wilhelm seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**APPROVE RUM RIVER LONGBEARDS’ REQUEST FOR GAMBLING PERMIT**

County Auditor-Treasurer Eric Bartusch reviewed the gambling permit for Rum River Longbeard’s on August 14, 2021 at Northern Lights Ballroom & Banquet Center. Commissioner Wilhelm motioned to approved Rum River Longbeards’ Request for Gambling Permit; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**CONSIDER AGREEMENT BETWEEN MINNESOTA DEPARTMENT OF REVENUE AND MILLE LACS COUNTY FOR COLLECTION OF A LOCAL TRANSIT SALES AND USE TAX**

Interim County Coordinator Lisa Herges reviewed the agreement and stated this agreement is not new, however there are some revisions to staff changes. Commissioner Wilhelm motioned to approve Agreement Between Minnesota Department of Revenue and Mille Lacs County for Collection of a Local Transit Sales and Use Tax; Commissioner Reynolds seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

**CONSIDER ENTERING INTO A RETAINER AGREEMENT FOR LEGAL SERVICES**

Interim County Coordinator Lisa Herges reviewed the retainer agreement and the benefit of the legal services. The agreement will cost \$5,000 and will provide professional legal services relating to land use

and zoning issues for the remainder of the year. Commissioner Peterson asked for clarification on what the County would use the legal services for. Land Services Director Chris Berg reviewed an example of a current situation that would benefit from the use of a land use specialist. County Attorney Joe Walsh stated that his staff does not currently have the education or background in land use to be able to provide a timely response. Walsh stated that he is in favor of using the land use specialist for legal services as they handle these cases every day. Commissioner Reynolds made a motion to approve Entering into a Retainer Agreement for Legal Services with Rupp, Anderson, Squires & Waldspurger, P.A.; Commissioner Wilhelm seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

CONSIDER ASSIGNING INTERIM COUNTY AUDITOR-TREASURER DUTIES TO THE COUNTY COORDINATOR

County Auditor-Treasurer Eric Bartusch reviewed the agenda item. Interim County Coordinator Lisa Herges reviewed the duties to be assigned to the County Coordinator. Herges stated Paul Prokosch will assist with any concerns. Commissioner Wilhelm motioned to approve Assigning Interim County Auditor-Treasurer Duties to the County Coordinator; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

AUTHORIZE CLOSURE OF COUNTY ROAD 1 IN BOCK ON JULY 4, 2021

County Engineer Neal Knopik reviewed the request for the road closure. Commissioner Wilhelm motioned to approve Closure of County Road 1 in Bock on July 4, 2021; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Wilhelm, Reynolds, Tellinghuisen, Peterson, and Oslin voted aye. Motion carried.

CONSIDER CLOSED SESSION FOR CD4 SETTLEMENT DISCUSSION

A motion was made by Cmsr Tellinghuisen to close the meeting at 9:59 a.m., in accordance with Minn. Stat. sec. 13D.05, subd. 3(b), the meeting will be closed under the attorney/client privilege to discuss settlement negotiation strategy arising out of the landowner dispute regarding County Ditch 4. As County Attorney, I have weighed the interests of the open meeting law against the need for absolute attorney-client confidentiality and determined that, for the purposes of discussing settlement strategy only, the need for absolute confidentiality requires a closed meeting. See *Prior Lake American v. Wes Mader, et al.*, 642 N.W.2d 729 (Minn. 2002). Cmsr Reynolds seconded. Motion carried. Cmsr Peterson motioned to reopen the meeting at 10:27 a.m.; Cmsr Tellinghuisen seconded. Motion carried.

County Attorney Joe Walsh reviewed the settlement and stated the next steps of the settlement process. Commissioner Peterson motioned to approve Settlement Agreement of CD4; Commissioner Tellinghuisen seconded. A roll call vote was called. Commissioners Reynolds, Oslin, Tellinghuisen and Peterson voted aye. Commissioner Wilhelm was absent. Motion carried.

COMMITTEE REPORTS

None.

Cmsr Peterson motioned to adjourn the meeting 10:29 a.m.; Cmsr Reynolds seconded. A roll call vote was called; Cmsr Reynolds, Oslin, Tellinghuisen, and Peterson voted aye. Commissioner Wilhelm was absent. Motion carried.

ATTEST:

/s/Lisa Herges  
Lisa Herges  
Interim County Coordinator

/s/David Oslin  
David Oslin  
County Board Chairperson