

AITKIN COUNTY BOARD

September 9, 2014

The Aitkin County Board of Commissioners met this 9th day of September, 2014 at 9:02 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Nathan Burkett, and Administrative Assistant Sue Bingham.

CALL TO ORDER

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve the September 9, 2014 amended agenda. Item 6A – Testimony in Support of Enbridge Pipeline, was removed.

APPROVED AGENDA

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: August 26, 2014 – September 8, 2014; B) Approve County Board Minutes: August 26, 2014; C) Approve Commissioner Warrants: General Fund \$71,382.59, Road & Bridge \$15,364.39, Health & Human Services \$105.60, Trust \$7,047.89, Forest Development \$24,084.29, Long Lake Conservation Center \$1,640.25, Parks \$3,003.84 for a total of \$122,628.85; D) Approve Auditor Warrants – Taconite Payments to Towns & Cities: Agency \$56,217.00; E) Adopt Resolution – County Tax Forfeited Land Sale; F) Approve Sale of Forfeited Vehicles – Sheriff's Office; G) Approve 2015 Medical Examiner Contract and Authorize Signatures; H) Accept Donation from Brat Sale Proceeds of \$194.51 to Sobriety Court; I) Approve Duplicates of Lost Municipal Order or Warrants: James Glassing – Refund Check #6854 for \$8.04, and Connie Gretschmann – Refund Check #6917 for \$163.00; J) Approve Application for Cancellation of Forfeiture – Pt Vacated Perry Street, Palisade

CONSENT AGENDA

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – County Tax Forfeited Land Sale:

WHEREAS, the classification of the following county owned and tax-forfeited lands to be offered for sale has been made by the County Board in accordance with Minnesota Statutes 282, and

**RESOLUTION
090914-055
COUNTY TAX
FORFEITED
SALE**

WHEREAS, a public hearing was held on March 6, 2012 at 10:00 am in the Aitkin County Courthouse regarding the classification of the attached lands and classified them to dispose of, and

WHEREAS, the County Board has made appraisals of the lands classified as non-conservation and of the timber and timber products thereon, and has made appraisal of timber and buildings on such lands as have not been classified, and a list of such lands and timber, timber only and of buildings so appraised has been filed with the County Auditor for the purpose of offering lands, timber and buildings, so listed, for sale at not less than the appraised value of the land, timber, and buildings combined, with said appraisals of each property following, and

WHEREAS, the County Board is by law designated with authority to provide for the sale of such lands on terms:

NOW, THEREFORE BE IT RESOLVED, that such parcels shall be sold on the following terms, to wit: That on sales amounting to \$5,000.00 or less per parcel, the purchase price shall be paid in full at the time of purchase. On sales amounting to more than \$5,000.00 per

parcel, the purchaser shall pay a minimum of \$5,000.00 down or 25% of the purchase price (whichever is greater) with the privilege of paying the balance over 5 years with the balance amortized over the 5 years plus interest at the rate according to Minnesota Statutes 282.01, Subdivision 4, on the deferred balance. Any remaining balance may be paid at any time. If the property is purchased on a contract for deed, a \$46.00 fee will be required at the time of purchase for the recording of the contract. Any contract for deeds on properties on this sale, are required to be recorded. Any property with a known well on it will be charged a \$50.00 fee for recording the well certificate.

BE IT FURTHER RESOLVED, that in case any parcel of land bearing standing timber, buildings or timber products is sold at public auction for more than the appraised value, the amount bid in excess of the appraised value shall be allocated between the land, buildings, and timber in proportion to the respective appraised value. The purchaser of tax-forfeited land at such sale shall be entitled to immediate possession, subject to the provision of any existing lease made in behalf of the State.

BE IT FURTHER RESOLVED, that notice of such sale of lands, timber and buildings be given by publication in the official newspaper of the County as provided by law; that the County Auditor of Aitkin County offer such parcels of land for sale in the order in which they appear in said NOTICE OF SALE, and that such sale shall commence at 2:00 P.M. on Tuesday, the 14th day of October, 2014 and continue until all parcels classified as non-conservation and timber only, buildings on parcels not classified, are offered to the highest bidder for sale. This sale will be held at the Aitkin County Courthouse in Aitkin, Minnesota.

BE IT FURTHER RESOLVED, as required by Minnesota Statutes 284.28, there will be added to the sale price of any tax-forfeited lands sold, an amount equal to three percent of the total sale price. Said additional amount to be deposited in the State Treasury and credited to the State Real Estate Assurance Fund.

BE IT FURTHER RESOLVED, that the Land Commissioner may withdraw any description on the list, later subject to the approval of the County Board, when it may appear to be in the public interest to do so.

BE IT FURTHER RESOLVED, Minnesota Statutes 282.014, imposes a \$25.00 fee upon purchasers of tax-forfeited land for issuance of a State Deed.

BE IT FURTHER RESOLVED, as required by Minnesota Statutes 282.01, Subdivision 6, all State Tax Deeds must be recorded with the County Recorder prior to issuing the Deed to the purchaser, therefore a recording fee for each State Deed issued must be paid to the Aitkin County Recorder by the purchaser when tax-forfeited land is paid for in full, as required in MS 357.18.

BE IT FURTHER RESOLVED, as required by Minnesota Statutes 287.22, all State Tax Deeds are subject to State Deed Tax which must be paid by the purchaser.

BE IT FURTHER RESOLVED, Aitkin County is not responsible for location of or determining property lines or boundaries.

BE IT FURTHER RESOLVED, that all lands sold hereunder are sold subject to the Zoning Ordinance adopted by the County Board, and all lands are sold subject to railroad and highway easements, power and pipeline easements, any recreational easements, and subject to all flowage rights, and

BE IT FURTHER RESOLVED, that except in the case of Deeds issued for platted property and Deeds issued to correct errors in either legal description or grantees, the Deeds issued for these parcels will contain a restrictive covenant which will prohibit enrollment of the land in a State Funded program providing compensation of marginal land or wetlands.

Aitkin County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment and the provision of services. Prospective bidders who require special accommodations to participate in this sale should inform the Land Department as soon as possible and more than three working days before the sale. You may write to Aitkin County Land Department at 209 2nd St. NW Room 206 Aitkin, MN.56431 or call 218-927-7364.

| Parcel ID Number | Access | Legal Description | Sec | Twp | Rge | Acres | Starting price at Auction |
|-----------------------------|--------|---|-----|-----|-----|-------|---------------------------|
| 34-0-039404 | * | 1 acre Lot 3 as in Document #179645 less hwy r/w | 24 | 43 | 22 | 0.48 | \$5,000.00 |
| 26-0-056600 and 26-0-057500 | None | SE-NE and NE-SE Big Sandy Lake Highlands | 35 | 46 | 23 | 80 | \$20,100.00 |
| 29-1-366000 to 29-1-366300 | * | Lots 163, 164, 165, 166 | 3 | 49 | 23 | | \$9,000.00 |
| 02-1-075100 | * | Hay U – Lot 5 | 26 | 52 | 23 | 0.53 | \$10,000.00 |
| 15-0-055300 | none | NE-SE Quadna Mountain View | 32 | 47 | 25 | 40 | \$5,800.00 |
| 12-1-075600 | * | Lot 2 Blk 1 | 2 | 52 | 26 | 0.98 | \$2,300.00 |
| 12-0-041606 | * | 150 x 155 in Govt Lot 1 | 23 | 52 | 26 | 0.53 | \$2,000.00 |
| 56-1-122800 | * | City of Aitkin Tibbetts Irregular Lots in Aitkin W 8 rods of Lot 16 | 24 | 47 | 27 | 0.61 | \$5,000.00 |
| 56-1-162700 | * | City of Aitkin Jenkins Acre Lots N 150' of E 50' of Lot 10 | 26 | 47 | 27 | 0.17 | \$4,000.00 |
| 57-1-019900 | * | City of Hill City Buck's Addn to Hill City Lot 12 Blk 14 | 14 | 52 | 26 | 0.16 | \$1,500.00 |

AITKIN COUNTY BOARD

September 9, 2014

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| <p>Under the consent agenda, motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve sale of 1996 Mercury Villager van as salvage, and to auction the following vehicles: 1998 Chevrolet Venture van, 1996 Cadillac Seville Sedan, 1995 Jeep Grand Cherokee, and 1997 Jeep Grand Cherokee. All vehicles were forfeited under Minnesota DWI laws.</p> | <p>SELL FORFEITED VEHICLES – SHERIFF’S OFFICE</p> |
| <p>Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members voted yes to adopt resolution: – Award S.P. 001-610-022/025, contingent upon MnDOT approval:</p> | |
| <p>WHEREAS, Contract No. 20142 includes projects S.P. 001-610-022 and S.P. 001-610-025 for grading, aggregate base, and bituminous pavement on Aitkin County State-Aid Highway 10 from U.S. Highway 169 to Aitkin County State-Aid Highway 3, and</p> | <p>RESOLUTION 090814-056 AWARD</p> |
| <p>WHEREAS, sealed bids were opened for this project at 2:00 p.m. on Monday, August 25, 2014 with a total of ten bids received, and</p> | <p>S.P. 001-610-022/025</p> |
| <p>WHEREAS, Anderson Brothers was the lowest responsible bidder in the amount of \$4,797,893.90.</p> | |
| <p>NOW, THEREFORE, BE IT RESOLVED, that Anderson Brothers be awarded Contract No. 20142.</p> | |
| <p>BE IT FURTHER RESOLVED, that the chairperson of the Aitkin County Board and the Aitkin County Auditor are hereby authorized and directed to enter into a contract on behalf of Aitkin County with said low bidder upon presentation of proper contract documents.</p> | |
| <p>Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to enter into design engineering agreement with Erickson Engineering for replacement of Bridge No. 01504 – CSAH 15 over Cedar Brook for an amount not to exceed \$22,800.00.</p> | <p>BRIDGE NO. 01504 – CSAH 15 OVER CEDAR BROOK</p> |
| <p>Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve Right of Way Plat No. 19.</p> | <p>RIGHT OF WAY PLAT NO. 19</p> |
| <p>Bobbie Danielson, HR Director presented Personnel Committee recommendations to the Board.</p> | <p>PERSONNEL COMMITTEE</p> |
| <p>Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve filling one full-time Public Health Nurse position in the Health & Human Services Department. This replaces a previously held part-time position.</p> | <p>FT PUBLIC HEALTH NURSE</p> |
| <p>Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve promotion of three existing Certified Appraisers (Grade 4) to Senior Certified Appraisers (Grade 5), effective January 1, 2015.</p> | <p>APPRAISER POSITIONS</p> |
| <p>Motion for a resolution by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – 2015 Unorganized Cemetery:</p> | |

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the Unorganized Townships of Aitkin County, for the year collectible 2015 for Cemetery (Revenue):

| | |
|--------------------------------|---------|
| Unorganized Township Cemetery: | |
| Shovel Lake Cemetery | |
| 51-27 | \$600 |
| 52-27 | \$600 |
| Hebron Cemetery | |
| 50-25 | \$1,500 |

**RESOLUTION
090914-057
2015
UNORGANIZED
CEMETERY**

Motion for a resolution by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members voting yes to adopt resolution – 2015 Unorganized Road & Bridge:

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the Unorganized Townships of Aitkin County, for the year collectible 2015 for Road and Bridge purposes:

| | |
|----------------|--------|
| Unorg Township | |
| 52-22 | \$3000 |
| 45-24 | \$2000 |
| 47-24 | \$7500 |
| 52-24 | \$1500 |
| 50-25 | \$4000 |
| 51-25 | \$0 |
| 52-25 | \$4000 |
| 50-26 | \$2000 |
| 48-27 | \$4500 |
| 49-27 | \$9000 |
| 50-27 | \$0 |
| 51-26 | \$0 |
| 52-27 | \$3500 |

**RESOLUTION
090914-058
2015
UNORGANIZED
ROAD & BRIDGE**

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – 2015 Unorganized Fire Protection:

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the Unorganized Townships of Aitkin County, for the year collectible 2015 for Fire Protection purposes:

| | |
|----------------|--------|
| Unorg Township | |
| 52-22 | \$7500 |
| 51-22 | \$150 |
| 45-25 | \$500 |
| 47-25 | \$1750 |
| 52-26 | \$1500 |
| 50-28 | \$1600 |

**RESOLUTION
090914-059
2015
UNORGANIZED
FIRE
PROTECTION**

| | |
|-------|--------|
| 51-27 | \$200 |
| 52-27 | \$2250 |
| 50-29 | \$1500 |
| 48-28 | \$3000 |
| 49-28 | \$5500 |
| 50-30 | \$300 |
| 51-27 | \$1000 |
| 52-27 | \$2700 |

At 10:00 a.m. Kirk Peysar, County Auditor held a Public Hearing for Petition for Partial Abandonment of a Drainage System (County Ditch 24) located in Sections 7, 8, and 18 of Spencer Township (T47N, R26W) and Sections 12 and 13 of Aitkin Township (T47N, R27W) Aitkin County, MN. EverStar, LLC submitted this petition for ditch abandonment pursuant to Minnesota Statute 103E.806. John Kolb, Rinke Noonan; along with Tom Miller and Eric Hansen, Westwood Professional Services presented plans and studies in support of EverStar's petition to the Board. John Welle, Aitkin County Engineer expressed his concerns. County Attorney Jim Ratz offered opinion and guidance. Public comment was heard from Tammy Lou Pfaff, representing City of Aitkin and Aitkin Airport Commission; Bob Harwarth, Spencer Township; Douglas Green, American Peat Technology; and Sid Berglund, Aitkin resident. Most voiced opposition or concern over the potential impact of the ditch abandonment. Jim Erickson, EverStar asked for Board support. The Board agreed to continue the Public Hearing on October 28, 2014 and to keep the public comment period open through that date.

The Board reported on the following: AMC Policy Meeting, NCLUCB, ATV Association of MN (ATVAM), AIS, Hill City National Night Out, MCIT Regional Risk Management Workshop, Park Board, Aitkin Airport Commission, and Historical Society.

Commissioner Anne Marcotte left at 12:10 p.m.

Motion by Commissioner Westerlund, seconded by Commissioner Niemi and carried (4-0 Marcotte absent), all members voting yes to adjourn the meeting at 12:21 p.m. until Tuesday, September 10, 2014 at 9:00 a.m. for Special Meeting - 2015 Budget Presentation.

 J. Mark Wedel, Chairperson
 Aitkin County Board of Commissioners

 Nathan Burkett, County Administrator

PUBLIC HEARING FOR PETITION FOR PARTIAL ABANDONMENT OF A DRAINAGE SYSTEM

BOARD DISCUSSION

MARCOTTE LEFT

ADJOURN