

AITKIN COUNTY BOARD

June 26, 2012

The Aitkin County Board of Commissioners met this 26th day of June, 2012 at 11:06 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Patrick Wussow, and Administrative Assistant Sue Bingham.

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the June 26, 2012 amended agenda. Items 4.5 A) Approve Resolution - Requesting a Presidential Declaration of a Major Disaster, and 4.5 B) Approve (2) Resolutions - Temporary Aitkin County Lakes Slow-No Wake Zone were added.

Motion by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: June 12, 2012 – June 25, 2012; B) Approve County Board Minutes: June 12, 2012; C) Approve County Board of Appeal and Equalization Minutes: June 12, 2012; D) Approve Auditor Warrants – May Sales and Use Tax: General Fund \$483.96, Road & Bridge \$1,254.48, Health & Human Services \$53.19, State \$7,978.00, Trust \$168.08, Forest Development \$154.99, Long Lake Conservation Center \$222.58 for a total of \$10,314.88; E) Approve Auditor Warrants – May/June Tax Settlements: Agency \$3,028,375.31; F) Approve VHF Interoperable Frequency Use Agreement between the State of MN and Aitkin County; G) Approve Resolution – Set Date for Tax-Forfeited Land Sale; a) Approve Commissioner Warrants: General Fund \$402,496.73, Road & Bridge \$292,488.03, Health & Human Services \$617.74, State \$300.00, Trust \$17,910.01, Forest Development \$49,176.68, Long Lake Conservation Center \$20,861.91 for a total of \$783,851.10; b) Approve Resolution – Form LG230 Aitkin Fire Relief Assoc.

Under the consent agenda, motion for a resolution by Commissioner Niemi, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – Set Date for 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

WHEREAS, a public hearing was held on March 6, 2012 at 10:00 am in the Aitkin County Courthouse regarding the classification to 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 list of lands classified as non-conservation land in the Conservation Areas and a list of the lands classified as non-conservation in the tax forfeited areas, has

CALL TO ORDER

**APPROVED
AGENDA**

**CONSENT
AGENDA**

**RESOLUTION
062612-063
SET DATE FOR
TAX-FORFEITED
LAND SALE**

been submitted to the Commissioner of Natural Resources for his approval of the classification and sale of such, 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. Any property purchased on a contract for deed that has buildings on it, will be required to carry insurance on the property with Aitkin County as a loss payable on it until such time as the building and timber costs have been paid in full. The insurance binder will be required to be sent to the Land Department within 5 days of the purchase.

Provided 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, and

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 10:00 A.M. on Thursday, the 30th day of August, 2012 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 40 Club Convention Center in Aitkin.

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, and

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, and

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.

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	Tw p	Rge	Acres	Valuation
1	*	1 acre Lot 3 as in Document #179645 less hwy r/w	24	43	22	.48	\$6,800.00
2	None	SE-NE and NE-SE	35	46	23	80	\$23,600.00
3		NE-NW	32	47	23	40	\$12,000.00
4	*	Big Sandy Lake Highlands Lot 62	3	49	23		\$4,000.00

AITKIN COUNTY BOARD

June 26, 2012

5	29-1-366000 to 29-1-366300	*	Big Sandy Lake Highlands Lots 163, 164, 165, 166	3	49	23		\$12,800.00
6	29-0-043200	*	1.54 ac of that part of NW-SE lying W of Hwy 65 in B 108 D P 77 Doc 182190 and 364233	19	49	23	1.54	\$5,600.00
7	29-1-202700	*	Sheshebe Point Lot 598	21	49	23	.18	\$1,800.00
8	29-1-293100	*	Sheshebe Point 3 rd Addn Lot 20 Blk 45	27	49	23		\$2,000.00
9	29-1-271200	**	Sheshebe Point 3 rd Addn Lot 3 Blk 33	27	49	23		\$1,200.00
10	29-1-468600, 29-1-468700, and 29-1-469100	*	VanderMeys Shores Outlot A, Lot 23, Lot 24	19	49	23		\$77,000.00
11	32-1-066600	*	Big Sandy Lake Highlands 5 th Addn Lots 82 and 83	34	50	23		\$35,800.00
12	02-1-066102	*	Bridge Park Part of Lot 15 W of Hwy 65 and N of Hwy 200	9	52	23		\$500.00
13	02-1-075100	*	Hay U – Lot 5	26	52	23	.53	\$10,000.00
14	16-0-008400	*	¼ acre Lot 1 in Book 118 Dds Page 503	5	44	25	.25	\$6,400.00
15	16-0-050800	*	3 ac in NW-NW in Book 99 Dds Page 435	35	44	25	3	\$7,000.00
16	15-0-055300	none	NE-SE	32	47	25	40	\$8,200.00

			County Auditor's Plat of Swatara					
17	20-1- 062800	**	Lot 12 Blk 3	20	51	26		\$900.00
			Quadna Mountain View					
18	12-1- 075600	*	Lot 2 Blk 1	2	52	26	.98	\$2,300.00
			150 x 155 in Govt Lot 1					
19	12-0- 041606	*		23	52	26	.53	\$3,600.00
			Tibbetts Irregular Lots in Aitkin					
20	56-1- 122800	*	W 8 rods of Lot 16	24	47	27	.61	\$8,000.00
			Jenkins Acre Lots N 150' of E 50' of Lot 10					
21	56-1- 162700	*		26	47	27	.17	\$6,700.00
			Buck's Addn to Hill City					
22	57-1- 019900	*	Lot 12 Blk 14	14	52	26	.16	\$3,400.00
			Quadna Condo #315					
23	57-1- 087500	*		24	52	26		\$4,100.00
			Approx .30 ac of SE-SW in Doc 162911					
24	60-0- 002700	*		22	49	25	.3	\$6,700.00

Access Code:

- * maintained public access
- ** unmaintained public access

Under the consent agenda, motion for a resolution by Commissioner Westerlund, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Form LG230 Aitkin Fire Relief Assoc.:

BE IT RESOLVED, the Aitkin County Board of Commissioners agrees to approve the Application to Conduct Off-Site Gambling - Form LG230 - of the Aitkin Fire Relief Association, at the following location – 4 blocks north of 210-169 intersection in Aitkin on Minnesota Ave. N., (632 Minnesota Ave N), Aitkin, MN 56431– Aitkin Township. (Note: Dates of activity for Raffle and Pull-tabs – July 12, 13 & 14th, 2012)

Kirk Peysar, Jim Bright, and Vern Watters of the Aitkin County Fair Board discussed the upcoming County Fair and related flooding issues with the Board. This year's fair dates are July 10, 2012 through July 14, 2012.

Penny Harms, Veterans Service Officer updated the Board on the Veterans Service Office.

**RESOLUTION
061912-060
FORM LG230
AITKIN FIRE
RELIEF ASSOC.**

**AITKIN COUNTY
FAIR**

**VETERANS
SERVICE OFFICE**

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to approve resolution – Requesting a Presidential Declaration of a Major Disaster:

WHEREAS, the County of Aitkin has sustained severe losses of major proportion, caused by heavy rainfall from June 17 through June 20, 2012; and

WHEREAS, Aitkin County is a public entity within the State of Minnesota; and

WHEREAS, substantial damage has been sustained to public and private property, as outlined in the attached damage assessment forms; and

WHEREAS, the cost of recovery from this disaster is beyond the resources available within the county, and state and federal resources are necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Aitkin County Board of Commissioners, for and on behalf of the citizens of Aitkin County, request the Governor of the State of Minnesota to petition the President of the United States to declare the County of Aitkin, Minnesota, to be a major disaster area, through appropriate channels.

BE IT FURTHER RESOLVED, that this request is for:

1. The Public Assistance (Infrastructure Support) and Human Service Programs as offered through P.L. 93-288 and 106.390.
2. The Hazard Mitigation Program, as offered through P.L. 93-288 and 106.390.

BE IT FURTHER RESOLVED, that the County Emergency Management Director is authorized to coordinate the damage survey teams with local government, and assist in the administration of the disaster recovery process, as needed.

Motion for a resolution by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June of 2012, record high water elevations prevail on all Aitkin County lakes, and

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 26th day of June, 2012, the following Temporary Special Controls

**RESOLUTION
062612-064
REQUESTING A
PRESIDENTIAL
DECLARATION
OF A MAJOR
DISASTER**

**RESOLUTION
062612-065
TEMPORARY
AITKIN COUNTY
LAKES SLOW-
NO WAKE ZONE**

to Section 5 Regulations of the Watercraft Ordinance.

NOW THEREFORE, BE IT RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed on the following:

- i. All lakes in Aitkin County, with the exceptions of Mille Lacs Lake and everything south of CR 2 extending eastward from Malmo.
- ii. Effective June 27, 2012 through July 1, 2012.

Motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve resolution – Temporary Aitkin County Lakes Slow-No Wake Zone:

WHEREAS, due to extraordinary weather conditions, including excessive rainfall during June of 2012, record high water elevations prevail on all Aitkin County lakes, and

WHEREAS, wave action from wind and watercraft has and will exacerbate shoreline erosion and cause damage to real and personal property, and

WHEREAS, high water levels coupled with increased wave action have led to the inundation of low-lying yards and structures, and

WHEREAS, in an effort to protect property and limit environmental damage to lakes from shoreline erosion where the County can and may exert some control, the County Board of Commissioners enacts this 26th day of June, 2012, the following Temporary Special Controls to Section 5 Regulations of the Watercraft Ordinance.

NOW THEREFORE, BE IT RESOLVED, that no person shall operate a watercraft at greater than slow-no wake speed on the following:

- i. All lakes in Aitkin County, with the exceptions of Mille Lacs Lake and everything south of CR 2 extending eastward from Malmo.
- ii. Effective July 2, 2012 through July 6, 2012.

During the meeting the Board discussed: i) CMCC, ii) P&Z, iii) Mille Lacs Watershed, iv) AMC District Meeting, v) Extension, vi) HRA, vii) ARDC, viii) MN House Tax Tour Meeting, ix) EQB, x) Rivers & Lakes Fair, xi) Fair Board, xii) Aitkin Airport, xiii) Sobriety Court

Terry Neff, Environmental Services Director and Terry Bentley, Aitkin Township Board discussed how to respond to emergency situations due to flooding, and how to protect residential structures.

**RESOLUTION
062612-066
TEMPORARY
AITKIN COUNTY
LAKES SLOW-
NO WAKE ZONE**

**BOARD
DISCUSSION**

FLOODING

AITKIN COUNTY BOARD

June 26, 2012

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to adjourn the meeting at 1:11 p.m. until Tuesday, July 3, 2012 at 9:00 a.m.

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator