

<p>The Aitkin County Board of Commissioners met this 8th day of September, 2009 at 9:01 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Galen “Tweet” Tveit, Brian Napstad, Laurie Westerlund, Paul Bailey, County Administrator Patrick Wussow, and Administrative Assistant Nicole Visnovec.</p>	<p>CALL TO ORDER</p>
<p>Motion by Commissioner Napstad, seconded by Commissioner Tveit and carried, all members voting yes to approve the September 8, 2009 amended agenda.</p>	<p>APPROVED AGENDA</p>
<p>Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to acknowledge the September 1, 2009 meeting minutes.</p>	<p>ACKNOWLEDGE MINUTES</p>
<p>Motion by Commissioner Napstad seconded by Commissioner Bailey carried, all members voting yes, to approve the Consent Agenda as follows: Correspondence File: A) September 1, 2009 – September 7, 2009; B) Approve Revised Minutes: August 25, 2009 Board; C) Approve Resolution- Final Contract Payment for SAP 01-600-14; D) Approve Date Change for Budget hearing to be rescheduled from December 8th to December 1st, 2009 at 6:05 p.m. in Court Room 1; E) Approve Resolution – Set Date for County Tax Forfeited Land Sale; F) Approve Resolution – Classification of Tax Forfeited Lands; G) Approve Budcap Contract; H) Approve White Pine Stewardship Contract; I) Approve Resolution – Off Highway Vehicle Safety Enforcement Grant Program 2009-2011; J) Approve Award Participation Plan for ARMER (radio) System.</p> <p>Under the consent agenda a motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following Final Contract Payment for SAP 01-600-14.</p>	<p>CONSENT AGENDA</p>
<p>WHEREAS, Contract No. 20086– Project Nos. S.A.P. 01-600-14, - Grading and Aggregate Surfacing – Waukenabo Township has in all been completed, and the County Board being fully advised in the premises,</p> <p>NOW THEN BE IT RESOLVED, That we do hereby accept said completed projects for and in behalf of the County of Aitkin and authorize final payment to Anderson Brothers, Inc. in the amount of \$9,380.84 as specified herein.</p>	<p>RESOLUTION 090809-84 FINAL CONTRACT PAYMENT FOR SAP 01-600-14</p>
<p>Under the consent agenda a motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following public hearing to be rescheduled from December 8th to December 1st, 2009 at 6:05 p.m. in Courtroom 1 at Aitkin County to discuss 2010 Budget.</p>	<p>PUBLIC HEARING 2010 BUDGET</p>
<p>Under the consent agenda a motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following Set Date for the County Tax Forfeited Land Sale:</p> <p>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 Statues 282, and</p>	<p>RESOLUTION 090809-85 SET DATE FOR THE COUNTY TAX FORFEITED LAND</p>
<p>WHEREAS, the classification and sale of said lands has been submitted for approval by the</p>	<p>RESOLUTION 090809-85 SET DATE FOR THE COUNTY TAX FORFEITED LAND</p>

Town Boards of the town or by the governing body of the municipality in which they lie, in so far as the lands located within said town or municipality are concerned, and

SALE

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 \$500.00 or less per parcel, the purchase price shall be paid in full at the time of purchase; that sales amounting to more than \$500.00 per parcel, the purchaser shall pay at least 10% of the purchase price or \$500.00 per parcel, whichever is greater, of the land; and 100% of the purchase price of the timber and buildings, with the privilege of paying the balance with a minimum of \$100.00 per year (not to exceed 10 years) or in ten annual equal installments, plus interest at the rate according to Minnesota Statutes 282.01, Subdivision 4, on the deferred balance; and provided further that the purchase price of the timber products when listed separately, shall be paid in cash at the time of said sale. 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. All contract for deeds on property on this sale will be required to be recorded.

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 thereof and the excess amount bid and allocated to the timber value and/or building shall be paid in cash at the time of the sale. 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 Friday, the 30th day of October, 2009 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 conducted at the 40 Club Convention Center which is located just west of the stop lights in Aitkin on Hwy 210.

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, 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.

Under the consent agenda a motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following Classification of Tax Forfeited Lands:

CLASSIFICATION OF LANDS

FORFEITED TO THE STATE FOR TAXES

STATE OF MINNESOTA)
) SS
COUNTY OF AITKIN)

**RESOLUTION
090809-86
CLASSIFICATION
OF TAX
FORFEITED
LANDS**

The Board of County Commissioners of the above entitled County, hereby classifies these certain lands hereinafter described and which are on file in the Land Commissioner's office and which have forfeited to the State of Minnesota for non-payment of taxes under all existing laws declaring such forfeiture of lands to the State for taxes as non-conservation lands. In making such classification, the Board made use of all data and information available by any office or

department of the Federal, State and Local Governments and other persons and agencies possessing information pertinent thereto and did consider among other things the present use of land adjacent thereto, the productivity of the soil thereof, the character of the forest land and other growth thereon, the accessibility thereof to established roads, schools and other public services, and peculiar suitability and desirability thereof to particular uses, with the aim to thereby encourage and foster a mode of land utilization that will facilitate economical and adequate provision for transportation, roads, water supply, drainage, sanitation, education and recreation, to facilitate a reduction of government expenditures and other industries in the districts and places best suited thereto. The classification is made by the Board in pursuance of the provisions of Minnesota Statutes 282, and is submitted for the purpose of procuring the approval of the Commissioner of Natural Resources to the sale of the parcels listed, and of procuring the approval of the Town and City Boards as to the sale of the parcels listed.

The Aitkin County Board of Commissioners hereby certifies that all parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 subd. 8, and 282.018.

The County Board of Commissioners hereby certifies that the County Land Commissioner has reviewed the attached land sale list and identified any and all nonforested marginal land and wetland based on available information.

Aitkin Township

- 1. Lakeland Heights Lot 4 Block 1

City of Tamarack

- 2. Tingdales Original Townsite of Tamarack Lot 12 Block 3

Under the consent agenda a motion by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following budcap contract to Outback and Yonder Forestry of Long Prairie, MN at \$0.055 per tree (\$55.00 per thousand).

**BUDCAP
CONTRACT**

Under the consent agenda a motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following white pine stewardship contract to Kris Milbradt of Aitkin MN in the amount of \$10,741.00. The four year stewardship contract includes planting, budcapping, brushing, annual inspection and supplemental planting if needed of 15 acres of white pine.

**WHITE PINE
STEWARDSHIP**

Under the consent agenda a motion for a resolution by Commissioner Napstad, seconded by Commissioner Bailey and carried, all members voting yes to approve the following Off Highway Vehicle Safety Enforcement Grant Program 2009-2011:

**RESOLUTION
090809-87
OFF HIGHWAY
VEHICLE SAFETY
ENFORCEMENT
GRANT PROGRAM
2009-2011**

BE IT RESOLVED, that the Aitkin County Board of Commissioners approve the 2009-2011 Off-Highway Vehicle Safety Enforcement Grant file in the Office of the County Auditor and authorize the Aitkin County Sheriff, County Board Chair and County Auditor to sign the agreement in the amount of \$23,330.00 for the term of August 15, 2009 through June 30, 2011.

Under the consent agenda a motion by Commissioner Napstad, seconded by Commissioner

AWARD

Bailey and carried, all members voting yes to approve the following award participation plan for ARMER (radio) System to GEOCOMM in the amount of \$21,155 through grants.

**PARTICIPATION
PLAN FOR ARMER
SYSTEM**

Motion by Commissioner Bailey, seconded by Commissioner Westerlund and carried, all members voting yes to approve the following cancellation of the public input meeting to be set on Saturday September 26th, 2009 at 10:00 a.m. in Courtroom 1 to discuss the Amendment of appendix A of the Zoning Ordinance to Allow the Processing and Destroying of Hazardous Waste.

**CANCEL PUBLIC
MEETING SET TO
DISCUSS
AMENDMENT OF
APPENDIX A OF
ZONING
ORDINANCE**

Beth Jacqmain, Assistant Commissioner gave an Emerald Ash Borer presentation.

ASH BORER

Motion for a resolution by Commissioner Bailey, seconded by Commissioner Napstad and carried, all members voting yes to approve the following limiting the transportation of forest/invasive insects and diseases by wood products being brought into Aitkin County:

WHEREAS, Aitkin County has a number of campgrounds and public accesses that are managed by the County; and

**RESOLUTION
090809-88
LIMITATION OF
FOREST/INVASIVE
INSECTS AND
DISEASES**

WHEREAS, the Emerald Ash Borer along with various other invasive insects are invading the boundaries of Minnesota and destroying various species of trees; and

WHEREAS, Aitkin County would like to limit the amount that we are exposed to the invasive insects;

THEREFORE, the Aitkin County Board of Commissioners supports the Aitkin County Land Department drafting a policy addressing transportation of forest/invasive insects and diseases by wood products being brought into the County for use on Aitkin County managed lands.

Motion for a resolution by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to approve the following Miller Repurchase:

WHEREAS, Mark Miller, the former owner has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcels of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Aitkin, Minnesota, and described as follows, to-wit:

**RESOLUTION
090809-89
MILLER
REPURCHASE**

Plat of Lawler Lot 21 Block 7 in Salo Township

and WHEREAS, said applicant has set forth in his application that:

a) hardship and injustice has resulted because of forfeiture of said land, for the following reasons, to-wit:

I thought I had paid this on June 30th when I paid my other taxes – my mistake. I would like to keep this property as it is very important to me and my wife.

and

b) the repurchase of said land by me will promote and best serve the public interest, because:

I promise to keep up to date on the property taxes from now on.

and WHEREAS, this Board is of the opinion that said application should be granted,

NOW, THEREFORE BE IT RESOLVED, that the application of Mark Miller for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

Mark Jacobs, Land Commissioner reviewed the 2010 land budget with the Board Members.

**LAND 2010
BUDGET**

Mark Jacobs, Land Commissioner and Todd Roggenkamp, Executive Director LLCC reviewed the 2010 land budget with the Board Members.

**LLCC 2010
BUDGET**

Motion for a resolution by Commissioner Bailey, seconded by Commissioner Napstad and carried, all members voting yes to approve the following 2010 Unorganized Township 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 2010 for Fire Protection purposes:

**RESOLUTION
090809-90
2010
UNORGANIZED
TOWNSHIP
LEVIES: FIRE
PROTECTION**

Unorg Township	
52-22	\$3000
51-22	\$100
45-24	\$300
47-24	\$500
52-24	\$1000
50-25	\$1200
51-25	\$150
52-25	\$1800
50-26	\$1400
48-27	\$900
49-27	\$3750
50-27	\$200
51-27	\$2000
52-27	\$2000

Motion for a resolution by Commissioner Bailey, seconded by Commissioner Napstad and carried, all members voting yes to approve the following 2010 Unorganized Township Road and Bridge:

BE IT RESOLVED, that the following sums of money be levied against the tax capacity of the

RESOLUTION

Unorganized Townships of Aitkin County, for the year collectible 2010 for Road and Bridge purposes:

Unorg Township	
52-22	\$4000
45-25	\$2000
47-25	\$7500
52-26	\$1500
50-28	\$4000
51-26	\$500
52-27	\$4000
50-29	\$3000
48-28	\$4000
49-28	\$7000
50-30	\$0
52-27	\$2500

**090809-91
2010
UNORGANIZED
TOWNSHIP
LEVIES: ROAD
AND BRIDGE**

Motion for a resolution by Commissioner Bailey, seconded by Commissioner Tveit and carried, all members voting yes to approve the following 2010 Unorganized Township Cemetery:

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 2010 for Cemetery (Revenue):

Unorg Township	
Shovel Lake Cemetery	
51-27	\$120
52-27	\$120
Hebron Cemetery	
50-25	\$1,500

**RESOLUTION
090809-92
2010
UNORGANIZED
TOWNSHIP
LEVIES:
CEMETERY**

10:21-10:48 Break

Patrick Wussow, County Administrator and Kirk Peysar, Auditor discussed with the Board the 2010 Preliminary Budget and Levy.

**2010
PRELIMINARY
BUDGET & LEVY**

12:28-12:28 Break

BREAK

During the meeting, the Board heard updates on the following committees: i) Airport, ii) Mental Health, iii) H&HS, iv) MAC, v) NCLUCB.

**COMMITTEE
UPDATES**

Motion by Commissioner Westerlund, seconded by Commissioner Napstad and carried, all members voting yes to adjourn the meeting at 12:44 p.m. until Tuesday, September 15, 2009 at 9:00 a.m.

ADJOURN

J. Mark Wedel, Chairperson
Aitkin County Board of Commissioners

Patrick Wussow, County Administrator