

# AITKIN COUNTY BOARD

October 12, 2021

<p>The Aitkin County Board of Commissioners met this 12<sup>th</sup> day of October, 2021 at 9:03 a.m. at the Aitkin Government Center with the following members present: Board Chair J. Mark Wedel, Commissioners Laurie Westerlund, Donald Niemi, Anne Marcotte, Brian Napstad, County Administrator Jessica Seibert, and Administrative Assistant Brittany Searle.</p>	<p><b>Call to Order</b></p>
<p>Motion made by Commissioner Napstad, seconded by Commissioner Niemi and carried, all voting yes to approve the October 12, 2021 agenda.</p>	<p><b>Approved Agenda</b></p>
<p>There was no Citizens' Public Comment</p>	<p><b>Citizens' Public Comment</b></p>
<p>Motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voting yes to approve the Consent Agenda as follows.</p>	<p><b>Consent Agenda</b></p>
<p>A) Correspondence File September 28, 2021 to October 11, 2021; B) Approve September 28, 2021 County Board Minutes; C) Approve August 31, 2021 Committee of the Whole Minutes; D) Approve Electronic Funds Transfers \$820,004.35; E) Approve Commissioner Vouchers: General Fund \$155,535.87, Reserve, \$2,537.46 Road &amp; Bridge \$30,147.66, Health &amp; Human Services \$2,043.65, Trust \$6,296.10, Forest Development \$8,566.93, Long Lake Conservation Center \$2,227.30, Parks \$36,000.75 for a total of \$243,355.72; F) Approve Auditor's Vouchers – R&amp;B paid 09-24-2021: Road and Bridge \$185,847.39, for a total of \$185,847.39; G) Approve Auditor's Vouchers – HWY Dept Contracts &amp; Government Center Contracts: Road and Bridge \$177,226.82, Capital Project \$13,074.75, for a total of \$190,301.57; K) Approve Manual Warrants/Voids/Corrections – Participants Fees September, FSA Claims 2021 #39966536, Camping Refund: General \$4,021.29, Parks \$60.00 for a total of \$4,081.29; I) Approve Manual Warrants/Voids/Corrections – Elan paid 09-16-2021: General \$-3877.36, HHS \$1812.79, Trust \$249.00, LLCC \$34.30, Parks \$1781.27 for a total of \$0.00; J) Approve Manual Warrants/Voids/Corrections – Special Fuel License: Road and Bridge \$25.00, for a total of \$25.00; K) Approve Manual Warrants/Voids/Corrections – FSA Claims 2021 #39976064: General \$670.02, for a total of \$670.02; L) Approve Manual Warrants/Voids/Corrections – LLCC Credit Card Fees September 2021: LLCC \$33.20, for a total of \$33.20; M) Approve Manual Warrants/Voids/Corrections – MTG Reg and Deed Tax September 2021: General Fund \$0.03, Sate \$119,311.92 for a total of \$119,311.95;N) Approve Manual Warrants/Voids/Corrections – FSA Claims 2021 #39979556: General Fund \$43.20, for a total of \$43.20; O) Adopt Resolution: Application to Repurchase Tax-Forfeited Property-Judge; P) Adopt Resolution: County Timber Auction Dates 2022; Q) Adopt Resolution: Minnewawa Sportsmen's STS Donation; R) Adopt Resolution: Application to Repurchase Tax-Forfeited Property-Miller;</p>	

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Application to Repurchase Tax-Forfeited Property-Judge.

WHEREAS, Theresa Louise Judge, divorced wife of the taxpayer at the time of forfeiture (Applicant).

WHEREAS, the Applicant was to be awarded the property as part of the divorce settlement

WHEREAS, the Applicant has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel 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:

That portion of government lot five (5) of Section four (4), Township forty-five (45), Range twenty-seven (27) shown as lot fifty-eight (58) of Farm Island Beach according to the plat thereof on file in the office of the register of deeds of said Aitkin county, the plat of which has been vacated as to said lot 58 and as to certain other lots.

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

- a. Hardship and injustice have resulted because of forfeiture of said land, for the following reasons, to-wit:

In September of 2016 Bryan and Theresa Judge were divorced, Bryan awarded this parcel in the divorce with a buyout of \$37,750. Bryan filed bankruptcy and was to pay Theresa through the bankruptcy. In the last court appearance June 2017, the judge came out with a lien on file in September of 2017. At the time the judgement came out, Bryan had passed away suddenly on August 12, 2017. At the time of his passing, all three of Bryan and Theresa's children were minors. All of Bryan's possessions were in physical possession of his sister Brenda Daniels of Loretto, MN. Bryan had no will and despite rightfully his possessions go to the three children, she kept control of all Bryan's things and to date the children received nothing. Bryan had his sister also beneficiary to all pension funds and life insurance, Theresa then hired a probate attorney 2 ½ - 3 years ago to file probate in Aitkin and Hennepin counties. She was also told that to act on behalf of the children, conservatorship was necessary at a cost of around \$5,000. Bryan and Theresa's youngest child turns 18 (all children need to be 18 for probate for them to represent Bryan's estate) on January 2, 2022. In addition, Theresa filed bankruptcy in 2017 and as the only asset was the lien against said property has been paying \$650/month for the children to keep this property as Bryan designed and built and it is the only thing they have and the memories created here. This added to the hardship of a single parent and single income household. Jerica, Chloe, and Sean got jobs and remained full time student with high GPA's and Theresa with self-employment income contributed to the property taxes as able. Jerica has one year of college left of Architecture degree, Chloe is a freshman in college on track to be a social worker, and Sean is a senior in High school with a desire of an engineering degree. We have so much emotionally and financially invested in Bryan's absence and are in the fifth generation to own this property and really can't lose it. We also learned that the taxes paid go to the most current

**Resolution  
#20211012-125  
Application to  
Repurchase Tax-  
Forfeited Property-  
Judge**

first and didn't know until after the fact. Please allow us to keep this parcel.

and WHEREAS, the Applicants have made payment of all delinquent taxes of properties and WHEREAS, this board is of the opinion that said applications should be granted for such reasons,

NOW, THEREFORE BE IT RESOLVED, That the application of Theresa Louis Judge 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.

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: County Timber Auction Dates 2022.

**Resolution  
#20211012-126  
County Timber  
Auction Dates 2022**

BE IT HEREBY RESOLVED, that certain tracts of timber on tax-forfeited lands in Aitkin County will be offered for sale on public auction, without the sale of land at 9:00 am on May 16,2022 to purchasers regardless of the number of employees.

BE IT ALSO RESOLVED, that that certain tracts of timber on tax-forfeited lands in Aitkin County will be offered for sale on a sealed bid auction, without the sale of land at 1:00 pm on August 10,2022 to purchasers regardless of the number of employees.

AND BE IT ALSO RESOLVED, that that certain tracts of timber on tax-forfeited lands in Aitkin County will be offered for sale on public auction, without the sale of land at 10:00 am on December 12, 2022 to purchasers regardless of the number of employees.

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Minnewawa Sportsmen's STS Donation.

**Resolution  
#20211012-127  
Minnewawa  
Sportsmen's STS  
Donation**

WHEREAS, Aitkin County is generally authorized to accept donations of real and personal property with a 2/3 majority vote pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens.

WHEREAS, the following persons and entities have offered to contribute the cash amounts set forth below to the county:

Minnewawa Sportsmen's Club \$200.00

WHEREAS, the terms or conditions of the donations, if any, are as follows:

Minnewawa Sportsmen's Club Aitkin County Sentence to Serve

WHEREAS, all such donations have been contributed to the county for the benefit of its citizens, as allowed by law.

NOW THEREFORE BE IT RESOLVED, the Aitkin County Board of Commissioners finds that it is appropriate to accept the donations offered.

Under the consent agenda, motion by Commissioner Marcotte, seconded by Commissioner Westerlund and carried, all members voted to adopt resolution: Application to Repurchase Tax-Forfeited Property-Miller.

WHEREAS, Christine L. Miller and Thomas G. Miller as joint tenants with rights of survivorship at the time of forfeiture (Applicant).

WHEREAS, the Applicant 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:

Parcel #58-1-020100, Sect 5, Twp 43 Rge 43, SUBDIV OF LOT 3 OCONNORS SUBDIV NW1/4 5-43-23, LOT 4 LESS R/W AS IN DOC 344562, and Parcel 58-1-018700, Sect 5, Twp 43 Rge 43, OCONNORS SUBDIV OF NW1/4 5-43-23, 1.5 AC IN NW CORNER OF LOT 6

and WHEREAS, said Applicants 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:

Loss of land was caused by emergency medical reasons followed COVID shutdown. As the land is used to produce and gather fruit and vegetables and culinary and medical herbs shared by the members of the Church of the free thinkers and the McGrath community loss of the land will cause hardship for many.

and WHEREAS, the Applicants have made payment of all delinquent taxes of properties

and WHEREAS, this board is of the opinion that said applications should be granted for such reasons,

NOW, THEREFORE BE IT RESOLVED, That the application of Christine L. Miller for the purchase of the above described parcels 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.

**Resolution  
#20211012-128  
Application to  
Repurchase Tax-  
Forfeited Property-  
Miller**

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<p>Mark Jeffers – Economic Development Coordinator presented Economic Development Strategic Plan.</p>	<p><b>Economic Development Strategic Plan</b></p>
<p>Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members present voted to approve 2020 Highway Department Annual Report.</p>	<p><b>2020 Highway Department Annual Report</b></p>
<p>John Welle – County Engineer presented 2021 Highway Contract Summary.</p>	<p><b>2021 Highway Contract Summary</b></p>
<p>Motion by Commissioner Marcotte, seconded by Commissioner Napstad and carried, all members present voted to approve 2022 Highway Contract Schedule.</p>	<p><b>2022 Highway Contract Schedule</b></p>
<p>John Welle- County Engineer- provided information on the Mississippi River Diversion Repair.</p>	<p><b>Mississippi River Diversion Repair</b></p>
<p>Teresa Smude – Aitkin County HRA Executive Director presented HRA Updates.</p>	<p><b>HRA Updates</b></p>
<p>Motion by Commissioner Marcotte, seconded by Commissioner Niemi and carried, all members voted to approve – Approve Internet Domain Name of aitkincountymn.gov;</p>	<p><b>Approve Internet Domain Name of aitkincountymn.gov</b></p>
<p>Jessica Seibert, County Administrator updated the Board on the following:</p> <ul style="list-style-type: none"><li>• COVID</li><li>• ARDC Meeting with Mark Jeffers</li><li>• Park Tour with Rich, Mark, Andrew and Becky</li><li>• MACA Annual Conference</li><li>• Meeting with Local 49 Union</li><li>• Opioid Settlement Update</li><li>• Online Recording</li><li>• Fiscal Recovery Funds (FRF) Update</li><li>• District 1 Meeting</li><li>• Front Steps Construction Update</li></ul>	<p><b>Administrator Updates</b></p>
<p>The Board discussed: AMC Fall Conference, East Central Regional Library, Historical Society, Mississippi Headwaters, Natural Resources Advisory Committee, and Northern Counties Land Use Coordinating Board.</p>	<p><b>Board Discussion</b></p>

# AITKIN COUNTY BOARD

October 12, 2021

Motion by Commissioner Westerlund, seconded by Commissioner Marcotte and carried, all members voting yes to adjourn the meeting at 12:28 p.m. until Tuesday, October 26, 2021 at the Aitkin County Government Center.

**Adjourn**

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J. Mark Wedel, Board Chair  
Aitkin County Board of Commissioners

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Jessica Seibert  
County Administrator