

# Public Notices

## Public Notice

**KOOCHICHING COUNTY BOARD OF EQUALIZATION MEETING NOTICE**

The Koochiching County Board of Equalization will conduct meetings on Tuesday, June 17, 2014 at 1:30 p.m. and Tuesday, June 24, 2014 at 6:00 p.m. in the Courthouse boardroom to handle business on the 2014 assessed property valuation for 2015 property tax purposes.

It is recommended the County Assessor's Office is contacted for information on your 2014 assessed valuation before making an appointment with the County Board of Equalization. To contact the Assessor's Office please call 218-283-1122.

For an appointment to meet with the County Board of Equalization, please call the County Auditor's Office at 283-1112.

By Order of the County Board:

Teresa Briggs, Administration Director  
Koochiching County

**The Journal**  
May 28<sup>th</sup> & June 4<sup>th</sup>, 2014

## Public Notice

**May 5, 2014 City Council Minutes 4:30 P.M.**

A regular meeting of the City Council of International Falls, Minnesota, was held in the Council Chambers of the Municipal Building on the 5th day of May, 2014 at the hour of 4:30 P.M.

**MEMBERS PRESENT:** Councilors Ecklund, Jaksa, Kalar, Rognerud, and Mayor Anderson  
**MEMBERS ABSENT:** None.

Mayor Anderson led the Pledge of Allegiance, called the meeting to order, and observed a moment of silence in recognition of the recent death of former Minnesota Eighth District Congressman Jim Oberstar.

MOTION by Councilor Jaksa to the approve minutes of the regular city council meeting of April 21, 2014. Motion seconded by Councilor Kalar and carried unanimously.  
MOTION by Councilor Rognerud to approve transfer of Lodging Tax in the amount of \$120.52 from Fund 812 to Fund 101. Motion seconded by Councilor Ecklund and carried unanimously.  
MOTION by Councilor Kalar to approve payment of claims from various funds of the city including checks 53083-53167 in the amount of \$245,905.25. Motion seconded by Councilor Rognerud and carried unanimously.  
Checks 97854-97866 were issued under blanket authorization in the amount of \$77,479.36.  
None.

None.

Mayor Anderson inquired if this item was properly before the City Council. He distributed and recited the August 6, 2012 minutes in which the City Council moved to acquire the property; however, the EDA, which is a separate organization, subsequently purchased the property. He questioned if the EDA had the authority to purchase the property and asked for two weeks time for the City Attorney and City Administrator to review the issue and report back to the Council. City Attorney Steve Sherman replied that the EDA and City Council were the same members, the EDA actually purchased the property, and it was appropriate for the EDA to do so given the nature of the project was to spur economic development. Councilor Rognerud noted the Transportation Economic Development (TED) grant was issued to the City and the low-bid contractor, Wagner's Construction, was eager to start work.  
MOTION by Councilor Rognerud to approve the second and final reading of Ordinance No. 956 Accepting the Low Bid in the Amount of \$410,254.50 and Awarding the Contract to Wagner Construction, Inc. for the City of International Falls 2013 Multi-Modal Distribution Center Site Improvements. Motion seconded by Councilor Jaksa. Further discussion ensued and the motion carried unanimously.  
MOTION by Councilor Rognerud to direct the Mayor, City Attorney, City Administrator, and Public Works Director to meet and review the record, determine if the acquisition of the property and its development was procedurally appropriate and legal, and verify and make clear the proper authority was granted to the EDA to acquire the property. Motion seconded by Councilor Jaksa and carried unanimously.  
None.  
Councilor Jaksa reported the Cable Commission has been working with Dan Nelson of Midcontinent Communications to negotiate the renewal of the Cable Franchise Agreement. Casey Morris was present with Mr. Nelson. Chrystal Clance of the Cable Commission presented background information and noted the Council as has approved two extensions to allow time to complete negotiations. The

Agreement has been revised to offer terms that are favorable to both the City and the Public, Educational, and Government Access (PEG) channel (KCC-TV) and favorable to Midcontinent Comm. She and the City Attorney noted the primary change allows the City to reduce the term of the Agreement from a 10 year term to a 5 year term. Prior written notice must be submitted to the company at 5 years or it may renew automatically for the full 10 year term.  
Mr. Nelson affirmed that Midcontinent Communications values our business relationship and wants to have a conversation at anytime something needs to be reviewed or adjusted. Councilors Jaksa and Ecklund extended thanks to the Cable Commission and Mr. Nelson for the hard work performed in renewing the Agreement.  
MOTION by Councilor Kalar to approve the First Reading of Ordinance No. 957 to Grant a Franchise Agreement to Midcontinent Communications for the Operation of a Cable System. Motion seconded by Councilor Ecklund and carried unanimously.  
Mayor Anderson introduced the proposed street closure request submitted by Jerrod and Beth Sherman and Stephanie Heinle. Mr. Sherman indicated the closure would be roughly between the hours of 11:00 a.m. and 6:00 p.m. for a graduation party and they would use about half of the street.  
MOTION by Councilor Rognerud to approve the local street closure as requested on May 31, 2014. Motion seconded by Councilor Jaksa and carried unanimously.  
MOTION by Councilor Ecklund to approve the license applications as requested by Timberpins, LLC as all license submittal requirements are complete and satisfactory. Motion seconded by Councilor Kalar and carried unanimously.  
MOTION by Councilor Rognerud to approve the license application as requested by Michaeline Belanger as the license submittal is complete and satisfactory. Motion seconded by Councilor Jaksa and carried unanimously.  
Councilor Kalar stated the City Beach Committee members have purchased and donated 10 adult sized chairs for use at the City Beach. The Committee is now recommending the purchase of 10 child sized chairs.  
MOTION by Councilor Kalar to acquire 10 beach chairs for children at a cost not to exceed \$150.00, payable from City Beach camping revenues deposited to the General Fund. Motion seconded by Councilor Ecklund and carried unanimously.  
MOTION by Councilor Jaksa to accept the resignation of George Gray, part-time Police Officer, effective April 17, 2014. Chief Musich noted Mr. Gray was a very dedicated full-time Deputy Sheriff and was always there when needed as a part-time Police officer. Councilor Ecklund asked that all the Council be given an opportunity to sign a letter of appreciation. Motion seconded by Councilor Rognerud and carried unanimously.  
Chief Musich noted that the background checks and testing have been completed and recommended the City Council hire Paul Kennedy and Chad Mastin as part-time Police Officers, effective May 5, 2014.  
MOTION by Councilor Ecklund to approve the hiring of part-time Officers Kennedy and Mastin as recommended. Seconded by Councilor Rognerud and carried unanimously.  
MOTION by Councilor Ecklund to accept the letter of resignation submitted by Jerry Adee effective July 31, 2014, and to direct that a letter of appreciation be drafted and signed by all the City Council. Motion seconded by Councilor Kalar and approved unanimously.  
MOTION by Councilor Jaksa to approve the Mayoral Proclamation of VWF Buddy Poppy day on May 9, 2014 to "Honor the Dead by Helping the Living." Motion seconded by Councilor Rognerud and carried unanimously.  
Mayor Anderson reported he met with the County Board to seek their approval and participation in the process to explore annexation of the Donahue property. The Board approved the appointment of Commissioners Rob Ecklund and Wade Pavlek and the Mayor appointed Councilor Kalar and himself. He reviewed state statutes and drafted a proposed process to follow in the annexation review. He said the Committee met once and will meet again.  
Councilor Rognerud asked that the Mayor reconsider the appointment of Councilor Kalar and appoint Councilor Jaksa as she is a member of the Legislation and Land Use Committee and the Donahue property is in her West Ward. She noted that she has no problems with Councilor Kalar, but he has been appointed to five committees and the other Councilors have been appointed to one or two at most.  
MOTION by Councilor Rognerud to appoint Councilor Jaksa to replace Councilor Kalar on the Annexation Committee. Motion seconded by Councilor Ecklund. Extensive discussion followed. The City Attorney opined that the first motion should be to approve or deny the Mayors appointment of Councilor Kalar and himself to the Committee.  
MOTION by Councilor Kalar to approve the Mayor's appointment of Councilor Kalar and Mayor Anderson to the committee studying the annexation of the Donahue property. Motion seconded by Councilor Jaksa. Motion failed with Councilor Kalar and Mayor Anderson voting yea and Councilors Ecklund, Rognerud, and Jaksa nay.  
MOTION by Councilor Rognerud to approve the appointment of Councilor Jaksa to the Annexation Com-

mittee. Mayor Anderson ruled the motion out of order and stated he will discuss the matter with the County Board and get back to the City Council. City Attorney Sherman said the EDA took action to request that annexation be explored. He said the process proposed by the Mayor was excellent and he recommended it be followed.  
Koochiching County letter of April 14, 2014 allocating a portion of the trust fund balance for land and timber sales of \$26,555.44 to the City. The next regular City Council meeting is May 19, 2014.  
The meeting was adjourned by Mayor Anderson at 5:56 P.M.

ATTEST: Robert W. Anderson, Mayor

Kenneth R. Anderson,  
City Administrator

**The Journal**  
May 28<sup>th</sup>, 2014

## Public Notice

**MINUTE SUMMARY**  
REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS  
Held on Tuesday, May 13, 2014; 10:05 a.m.

**MEMBERS PRESENT:** Commissioners Ecklund, McBride, Skoe, Adee, Pavlek  
**MEMBERS ABSENT:** None

The County Board approved the May 13th meeting agenda; approved the minutes from the April 22, 2014 regular meeting; received notice of hires of Billy Bright for Boat and Water Patrol; Charlene Harju as the Accounting/IT Specialist; Rich Seiven as a part time Correctional Officer.

2014/05-03 Motion by Adee, seconded by Pavlek accepting the recommendation of the Insurance Committee to renew the Hartford Group and Optional Life/AD&D Insurance Plan, to renew the Hartford Voluntary Long Term Disability and Short Term Disability Plans and renew the Voluntary Dental Plan with Dearborn National. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-04 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$58,872.84 and reviewed the April Vendor Payment Listing. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-05 Motion by Pavlek, seconded by Adee to adopt a resolution for the application of Budget FY 2015 IRRRB funds. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-06 Motion by Skoe, seconded by McBride to reappoint Lorraine Nygaard to the Housing and Redevelopment Authority Board. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-07 Motion by McBride, seconded by Skoe to approve sponsorship of existing snowmobile, ATV and cross country ski trails for maintenance grant agreements in the MN Trails Assistance Grant-In-Aid Program for Fiscal Year 2015. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-08 Motion by McBride, seconded by Adee to set a public hearing on Tuesday, May 27, 2014 at 11:00 a.m. for the purpose of receiving comment on the issuance of an Off Sale Intoxicating Liquor License for Sweet Relief (formerly Lu's) in Ericsburg as required under Minnesota Statute 340A.405. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

000 In review of the comment received from the people in Big Falls regarding the proposed taxing district for the Littlefork Medical Center (LMC) Capital Plan, the Board members felt additional consideration was needed on the double taxation of properties being in both the Big Fork Valley Hospital and LMC Taxing District. Properties within the Big Fork Valley Hospital Taxing Districts are paying a tax to support this facility and asking them to also support the Littlefork Medical Center is a legitimate concern. It was agreed that a Committee meeting of two Board members, Auditor-Treasurer and Administration Director would be set to review the double taxation issue with the Big Fork Valley Hospital and proposed LMC Taxing District and explore options to alleviate the situation.

2014/05-09 Motion by Pavlek, seconded by Skoe adopting the resolution for the purpose of creating a subordinate service taxing district for capital improvement needs for the Littlefork Medical Center for a described organized and unorganized area within the boundaries of School District 362. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-10 Motion by Pavlek, seconded by Adee authorizing Board members' attendance to the Rainy River First Nations Annual Fish Fry on May 16, 2014. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-11 Motion by Pavlek, seconded by McBride that at the direction of the County Board the Departments of County Public

Health and County Human Services be combined to establish a Koochiching County Health and Human Services Department effective May 1, 2014. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-12 Motion by McBride, seconded by Adee that to establish the management structure for the County Health and Human Services Department, to approve a D63B Health and Human Services Director and C52 Public Health Supervisor position descriptions. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-13 Motion by McBride, seconded by Pavlek that effective May 1, 2014 to place Terry Murray in the position of Health and Human Services Director and Nancy Lee in the position of Public Health Supervisor. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-14 Motion by McBride, seconded by Pavlek accepting the recommendation of the Planning Commission to approve REZ1401 for rezoning of property from Open Space to Agricultural/Forestry for applicant Thomas Richardson for property described as the SW-SE and SE-SE, Section 25, Township 64N, Range 22W. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

000 The Board and Environmental Service Director discussed new information collected on the proposed U.S. Waters Definition from the EPA/Corps. From what is being said it looks like the comment period would be extended and that along with NACO and AMC, other public and local government associations and businesses have been reviewing the issue due to impact concerns and sending messages to federal legislators. Board members questioned where the State was at on this matter and would inquire through continued review of this issue.

000 The Board Chair opened a public hearing at 11:05 a.m. for the purposes of receiving comment on the County's proposed Wetland Bank Moratorium Ordinance for preservation of uplands in Koochiching County.

2014/05-15 Motion by Skoe, seconded by Pavlek to adopt an Interim Ordinance Declaring a Moratorium on Applications to Create Wetland Banks from Former and Current Farmssteads:

WHEREAS, Minnesota Statute 394.34 allows municipalities to adopt interim ordinances for the purpose of protecting the public health, safety and general welfare;

WHEREAS, The Wetland Conservation Act allows Counties in Minnesota to adopt ordinances which regulate wetland activities within their boundaries;

WHEREAS, Koochiching County adopted a Wetland Management Plan and Ordinance on May 9, 2000 and a Comprehensive Land Use Plan on February 26, 2002;

WHEREAS, the Comprehensive Land Use Plan states that an Agricultural zoning district was created to preserve the County's agricultural land base;

WHEREAS, studies have shown that as much as 84% (1,677,000 acres) of the County's total land mass is some type of wetland;

WHEREAS, further studies have shown that Koochiching County retains approximately 99% of its pre-settlement wetlands;

WHEREAS, Koochiching County recognizes the importance of these wetlands, and also recognizes the importance of its limited uplands;

WHEREAS, Koochiching County is experiencing an increase in the number of farms being converted and/or restored to wetlands for the creation of wetland banks;

WHEREAS, the creation of wetland banks requires that these properties be placed into conservation easements that do not allow agricultural use;

WHEREAS, this practice reduces the tax base of Koochiching County by reducing the overall value of these properties either now or after the credits are sold;

THEREFORE, in order to protect its planning process as well as public health and resources, it is in the best interest of Koochiching County to begin the process of updating its Wetland Management Plan and Ordinance to address wetland banking and mitigation sites;

THEREFORE, BE IT RESOLVED, pursuant to Minnesota Statute 394.34, that the Koochiching County Board of Commissioners, adopt this interim ordinance establishing a moratorium on the creation of wetland banks on lands which are current or former farmsteads, for a period of one year, or until such a time as the Koochiching County Wetland Flexibility Plan & Ordinance is amended and adopted, with this interim ordinance being effective immediately upon its adoption. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

2014/05-16 Motion by McBride, seconded by Adee authorizing Board members' attendance to the Annual Chamber Banquet on May 22, 2014. Voting yes: Ecklund, McBride, Skoe, Adee, Pavlek. Motion carried.

The meeting adjourned at 12:00 p.m.  
A full copy of the minutes is available on the County website at [www.co.koochiching.mn.us](http://www.co.koochiching.mn.us) and for public inspection at the County Administration Office during regular business hours.

**The Journal**  
May 28<sup>th</sup>, 2014

## Public Notice

**REPAIR OR REMOVE HAZARDOUS PROPERTY CONDITION ORDER PURSUANT TO MINN. STAT. § 463.17**

**ATTENTION** owner(s) and lienholder (s) of record of the building and property located at **5735 County Road 77 Littlefork, MN 56653** the building on this property is considered a hazardous building due to inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health.

**Corrective action must be taken by June 16, 2014.**

Corrective action requires that the following necessary repairs are made: **the hazardous building must be removed or razed from the property.**

A motion for summary enforcement of the order will be made to the District Court of Koochiching County unless the above corrective action is taken, or unless an answer is filed in accordance with Minn. Stat. § 463.18.

**Direct legal correspondence and questions to:**  
Koochiching County Attorney's Office  
715 4th Street  
International Falls, MN 56649  
218-283-1131

**The Journal**  
May 21<sup>st</sup>, 24<sup>th</sup>, 28<sup>th</sup>, 31<sup>st</sup> & June 4<sup>th</sup>, 7<sup>th</sup>, 11<sup>th</sup>, 14, 2014

## Public Notice

**REPAIR OR REMOVE HAZARDOUS PROPERTY CONDITION ORDER PURSUANT TO MINN. STAT. § 463.17**

**ATTENTION** owner(s) and lienholder (s) of record of the building and property located at **2186 Highway 217 Ray, MN 56669** the building on this property is considered a hazardous building due to inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health.

**Corrective action must be taken by June 23, 2014.**

Corrective action requires that the following necessary repairs are made: **the hazardous building and hazardous property must be removed from the property.**

A motion for summary enforcement of the order will be made to the District Court of Koochiching County unless the above corrective action is taken, or unless an answer is filed in accordance with Minn. Stat. § 463.18.

**Direct legal correspondence and questions to:**  
Koochiching County Attorney's Office  
715 4th Street  
International Falls, MN 56649  
218-283-1131

**The Journal**  
May 28<sup>th</sup>, 31<sup>st</sup>, & June 4<sup>th</sup>, 7<sup>th</sup>, 11<sup>th</sup>, 14<sup>th</sup>, 18<sup>th</sup>, 21<sup>st</sup>, 2014

## Public Notice

**STATE OF MINNESOTA**

**COUNTY OF KOOCHICHING**

**DISTRICT COURT  
PROBATE DIVISION  
NINTH JUDICAL DISTRICT**

**Court File No. 36-PR-14-288**

**NOTICE OF INFORMAL PROBATE OF WILL AND INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS**

**Estate of:**

**Clifford S. Weum  
Decedent**

Notice is given that an Application for Informal Probate of Will and Informal Appointment of Personal

Representatives dated May 1, 2014 was filed with the Court along with the will dated July 27, 2006, which is in the Court's possession. The Court accepted the application and appointed Scott Weum, whose address is P.O. Box 55670, North Pole, AK 99705 to serve as the personal representative of the decedent's estate in an unsupervised administration.  
Any heir, devisee, or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative. Any objection to the appointment of the personal representative must be filed with the Court, and any properly filed objection will be heard by the Court after notice is provided to interested persons of the date of hearing on the objection.  
Unless objections are filed, and unless the Court orders otherwise, the personal representative has the full power to administer the estate, including , after thirty (30) days from the issuance of letters testamentary, the power to sell, encumber, lease, or distribute any interest in real estate owned by the decedent.  
Notice is also given that (subject to Minn. Stat. §524.3-801) all creditors having claims against the Estate are required to present the claims to the personal representative or to the Court Administrator within four months after the date of this Notice or all claims will be barred.

(COURT SEAL)

/s/ **Charles H. LeDuc** 5-16-14  
Judge Date

/s/ **Sara Thompson, Deputy** 5-16-14  
Court Administrator

Attorney for Personal Representative  
Joseph M. Boyle #10509  
Boyle Law office  
235 Fourth Avenue  
International Falls, MN 56649  
(218) 283-9481  
Fax: (218) 283-8170

**The Journal**  
May 28<sup>th</sup> & June 4<sup>th</sup>, 2014

## Public Notice

The Annual Meeting of the Littlefork Ambulance Taxing District Board of Directors has been scheduled for Monday, June 2 at 7:00 P.M. at Littlefork Ambulance Facility, located at 301 McPherson Street. The purpose of the meeting is to review/adopt the 2014, collectible 2015 tax levy and the proposed 2015 Littlefork Ambulance Service Budget.

**The Journal**  
May 21<sup>st</sup> & 28<sup>th</sup>, 2014

