

RAMSEY-WASHINGTON METRO WATERSHED DISTRICT  
BATTLE CREEK PROJECT #1  
DEFERRED ASSESSMENTS ORDINANCE  
MARCH 15, 1982

ALSO AMENDMENT DATED APRIL 26, 1982  
RES. #82-403

NOTICE OF PUBLIC HEARING  
BOARD OF  
RAMSEY COUNTY COMMISSIONERS

Notice is hereby given that pursuant to Minnesota Laws, 1981, Chapter 332 and Minnesota Statutes, Section 375.51, a public hearing will be held in the City Council Chambers, Room 350, St. Paul City Hall and Ramsey County Court House Building at 10:00 o'clock a.m. on Monday, March 15, 1982 to receive testimony, comments and consider the adoption of an ordinance regulating and spelling out the requirements and procedures regarding DEFERRED ASSESSMENTS in connection with the RAMSEY-WASHINGTON METRO WATERSHED DISTRICT BATTLE CREEK PROJECT NO. 1. The ordinance provides that "owners of homestead property shall be eligible to apply for deferment of the special assessment levied against the homestead property for Battle Creek Project No. 1 if they are at least 65 years of age or handicapped and the assessment constitutes a hardship."

Copies of the proposed ordinance may be reviewed at the Executive Director's Office, Board of Ramsey County Commissioners, 316 Court House, St. Paul, Minnesota 55102.

Harry E. Marshall /S/  
Chief Clerk-County Board

Resolution 82-272  
Dated March 15, 1982

RESOLVED, That the Board of Ramsey County Commissioners hereby approves the Deferred Assessments Ordinance which provides that "owners of homestead property shall be eligible to apply for deferment of the special assessments levied against the homestead property for Battle Creek Project #1 (Ramsey-Washington Metro Watershed District) if they are at least 65 years of age or handicapped and the assessment constitutes a hardship," as follows:

AN ORDINANCE  
REGARDING REQUIREMENTS AND PROCEDURES FOR DEFERRED ASSESSMENTS

RAMSEY-WASHINGTON METRO WATERSHED DISTRICT  
BATTLE CREEK PROJECT #1

THE BOARD OF RAMSEY COUNTY COMMISSIONERS ORDAINS:

- 1) Owners of homestead property shall be eligible to apply for deferment of the special assessment levied against the homestead property for Battle Creek Project #1 if any owner is at least 65 years of age or handicapped and the assessment constitutes a hardship.
- 2) "Handicapped" means that the owner of homestead property:
  - a) has a physical or mental impairment which substantially limits one or more of the major life activities, and;
  - b) has a record of such impairment, and;
  - c) is the primary source of income for the household, and;
  - d) has been deemed permanently "disabled" or "handicapped" by one or more federal, state or local agencies for purposes of other benefits or assistance provided to such persons.

In extenuating circumstances, the Ramsey-Washington Metro Watershed District, hereinafter referred to as the District, may, upon request, refer an owner who has not applied for eligibility under any other programs to a certified expert in evaluation of disabilities in order to determine if a condition warrants a deferment of the assessment.

- 3) The special assessment shall be considered a hardship if 10% of the assessment exceeds one-half percent (1/2%) of the homestead owner's annual adjusted gross income.
  - a) "Adjusted gross income" means that shown on Line 31 of the owner(s) 1981 federal income tax return. For those households not filing a 1981 federal income tax return, "adjusted gross income" means total income from all sources, less \$750 for each adult dependent living in the household (including the owner) and \$500 for each minor dependent.
  - b) Total income from all sources shall include: any public assistance, including but not limited to General Assistance, AFDC and SSI, unemployment compensation, workers' compensation, pensions and annuities, including PERA and Social Security, estate or trust income, veterans disability payments and education grants, salaries, including commissions, bonuses, overtime pay and tips, interest and dividends, rental income, business profit for self-employed individuals, including farmers, payments received from properties being sold on contracts-for-deed.
- 4) Interest shall be charged on all deferred assessments at the same annual rate as that charged on all other assessments not prepaid plus one-half percent for administrative costs.
- 5) Partial deferments will not be allowed, except that homestead owners within the City of St. Paul may apply to defer the entire portion of the assessment against their property which is payable by the owner.

- 6) As provided in Section 435.195, Minnesota Statutes, all deferred assessment plus applicable interest, shall become due upon the occurrence of any of the following:
  - a) death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder;
  - b) the sale, transfer or subdivision of the property or any part thereof;
  - c) loss, for any reason, of the property's homestead status;
  - d) decision by the District that there would be no hardship to require immediate payment.
  
- 7) Procedures for deferred assessments:
  - a) The homestead owners shall make application to the District on the form prescribed by Ramsey County or Washington County, as appropriate, attaching either a copy of his/her 1981 federal income tax return or a calculation of adjusted gross income on a form to be provided by the District. Owners requesting deferment because of handicap shall also include evidence of eligibility for one or more other federal, state, or local benefits or assistance provided to disabled/handicapped persons.
  - b) The District shall certify to the appropriate County that the Board of Managers has approved each application for deferment.
  - c) Each County shall record the deferments in accordance with established County procedures.
  
- 8) No applications for deferment will be accepted after April 30, 1982. The District will not reopen applications for deferment at any future date until after all bonds issued for the project are retired.

Passed by the Board of Ramsey County Commissioners this 15<sup>th</sup> day of March, 1982.

Robert J. Orth /S/  
CHAIRMAN, BOARD OF RAMSEY COUNTY COMMISSIONERS

Larry J. Brown /S/  
EXECUTIVE DIRECTOR

STATE OF MINNESOTA )  
  ) SS  
COUNTY OF RAMSEY  )

I, Harry E. Marshall, Chief Clerk-County Board, duly appointed and qualified for Ramsey County, Minnesota do hereby certify that the foregoing copy is a true and correct transcript of a resolution adopted by the Board of Ramsey County Commissioners on March 15, 1982.

Dated at St. Paul, Minnesota this 15<sup>th</sup> day of March 1982.

HARRY E. MARSHALL, CHIEF CLERK-COUNTY BOARD /S/

AMENDMENT  
Resolution 82-403  
Dated April 26, 1982

WHEREAS, The County Board approved Resolution #82-272 on March 15, 1982, providing for deferred assessments for elderly and handicapped people in connection with the Battle Creek Project #1 which also provided that no applications for deferment would be accepted by the Watershed District after April 30, 1982 as that is the last date upon which assessments could be prepaid without interest; and

WHEREAS, The watershed district has indicated that a large number of property owners have indicated a desire to apply for the deferment, making it most difficult for the district to assist all applicants and to process the applications by April 30; Now, Therefore, Be It

RESOLVED, That the Board of Ramsey County Commissioners hereby approves the following amendment to Section 8 of the ordinance which shall read:

8) No Applications for deferment will be accepted after May 30, 1982. The District will not reopen applications for deferment at any future date until after all bonds issued for the project are retired.

BE IT FURTHER RESOLVED, That any property owner not paying the full assessment by April 30, 1982, will still be charged interest for the period following April 30 because the cancellation of interest charges would affect the debt schedule established in the bond issue.

ROBERT J. ORTH, Chairman /S/

Harry E. Marshall, Chief Clerk-County Board /S/