

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
CROW WING COUNTY, MINNESOTA
Meeting held on January 23, 2007

The Board of County Commissioners met in adjourned session on January 23, 2007, at 9:30 a.m.

All members were present.

On motion of Commissioner Tautges seconded by Commissioner Franzen the minutes of the December 28, 2006, and January 2 and 9, 2007, meetings be approved as published and the reading of said minutes be dispensed with, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Franzen the Board approves the following 2007 Tobacco License application, as approved by the County Attorney and County Sheriff, subject to any delinquent taxes being paid, and the County Auditor is authorized to issue said License, all members voted "AYE".

RICHARD GEIKE

FRITZ'S RESORT & CAMPGROUND

NISSWA CITY

On motion of Commissioner Nystrom seconded by Commissioner Tautges the Board approves the Amendment to the Agreement for 2007 Nursing Services between Crow Wing County and Lillian Grandlund R.N., Lakes Correctional Nursing, Inc., to provide Nursing Services at the Crow Wing County Jail, and the Chairman and County Auditor are authorized to sign said Amendment, upon approval of the County Attorney, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board agrees to enter into Animal Control Services Contracts between Crow Wing County and the following entities to be covered under the Crow Wing County Ordinance Regulating the Keeping of Dogs and Providing for Penalties for Violation Thereof (No. 0603), at the rate of \$2.50 per household, and the Chairman and County Auditor are authorized to sign said Contracts, upon approval of the County Attorney, all members voted "AYE".

Town of Garrison
Town of Pelican

On motion of Commissioner Thiede seconded by Commissioner Tautges that payment be made to the Mississippi Headwaters Board in the amount of \$1,500 for the 2007 appropriation from the County, and the County Auditor is authorized to issue the warrant from the General Fund, all members voted "AYE".

An application was received for Repurchase of Forfeited Lands under Minnesota Statute 282.241, as follows:

Timothy J. Brix Lots 1, 2, 3, and 4, Block 8, Foley's First Addition to Cuyuna,
191050080010009, 191050080020009, 191050080030009 &
191050080040009

Commissioner Tautges offered the following resolution and moved its adoption:

BE IT RESOLVED by the Board of Commissioners of Crow Wing County, Minnesota, that the foregoing application is approved for reasons stated as follows:

Financial hardship.

Which resolution being seconded by Commissioner Franzen was duly adopted, all members voted "AYE".

An application was received for Repurchase of Forfeited Lands under Minnesota Statute 282.241, as follows:

Timothy J. Brix Lots 29, 30, 31 and 32, Block 8, Foley's First Addition to Cuyuna,
191050080290009, 191050080300009, 191050080310009 &
191050080320009

Commissioner Tautges offered the following resolution and moved its adoption:

BE IT RESOLVED by the Board of Commissioners of Crow Wing County, Minnesota, that the foregoing application is approved for reasons stated as follows:

Financial hardship.

Which resolution being seconded by Commissioner Franzen was duly adopted, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Tautges the plat of TOWERING PINES, platted from Pt. S1/2 of NW1/4 of SE1/4, Sec. 18-136-27, 770184200B00009 (approximately 18 acres consisting 6 lots), be approved, provided all taxes are paid and Restrictive Covenants are recorded, based on the following findings of fact, all members voted "AYE".

FINDINGS OF FACT:

1. Meets the Subdivision Ordinance requirements.
2. Conforms with the approved preliminary plat.

On motion of Commissioner Thiede seconded by Commissioner Tautges the petition of Jeffrey and Barbara Tidd for the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

NW1/4 of SW1/4, Sec. 6-136-27, 77006320000009
Rezone from Green Space to Rural Residential 5

FINDINGS OF FACT:

1. There is adequate ingress/egress with easements to County Road 3.
2. There is adequate area for structures and septic.
3. The lots meet or exceed the minimum requirements for Rural Residential 5 zoning.
4. The request is consistent with land use plans and maps available.

On motion of Commissioner Franzen seconded by Commissioner Tautges the petition of John and Jennifer Knese for the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

Pt. Govt. Lot 1, Sec. 4-134-28, 970041201T00009
Rezone from Rural Residential 2.5 to Shoreland Residential 1

FINDINGS OF FACT:

1. There is adequate ingress/egress onto Dorothy Trail.
2. The lot was already created.
3. The lot does not meet the lot width or lot area requirements of the existing zoning.
4. Shoreland Residential 1 is consistent with the zoning and density along the lake.

On motion of Commissioner Thiede seconded by Commissioner Tautges the petition of Marshall and Alice Williams for the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

Lot 2, Block 1, Except Minerals, CLAMSHELL LAKE HOMESITES, Sec. 21-137-28, 681820010020009
Rezone from Green Space to Shoreland Residential 1

FINDINGS OF FACT:

1. There is adequate ingress/egress from White Oaks Trail.
2. There is adequate area for structures and septic.
3. Meets the Ordinance requirements for lot size and lot area.
4. The parcel was already created through MN Department of Natural Resources lease lots.

On motion of Commissioner Thiede seconded by Commissioner Tautges the Board schedules for the first meeting in April an agenda item for discussion of prior Minnesota Department of Natural Resources lease lots and a policy to handle rezoning reclassifications, all aye.

On motion of Commissioner Tautges seconded by Commissioner Thiede the petition of Daniel and Charlene Radtke for the following zoning reclassification be approved, based on the following findings of fact, all members voted "AYE", except Commissioner Nystrom voted "NAY".

Outlot 1, PARADISE SHORES (Tract C), Sec. 8-44-29, 761080009010009
Rezone from Rural Residential 2. 5 to Waterfront Commercial

FINDINGS OF FACT:

1. Comprehensive Plan supports expanding resorts.
2. Compatible with existing resort use.

On motion of Commissioner Tautges seconded by Commissioner Thiede the petition of Daniel and Charlene Radtke for the following zoning reclassification be denied as recommended by the Planning Commission, based on the following finding of fact, all members voted "AYE".

Outlot 1, PARADISE SHORES, Sec. 8-44-29, 761080009010009
Deny rezoning from Rural Residential 2.5 to Commercial One

FINDING OF FACT:

1. Commercial One zoning no longer represents the desire of the applicant.

On motion of Commissioner Tautges seconded by Commissioner Franzen the Board approves the preliminary plat of SWEET ROAD ESTATES, as recommended by the Planning Commission, subject to the following contingencies and based on the following findings of fact, all members voted "AYE".

E. 660' of NW1/4 of NW1/4, Sec. 20-44-31, 540202200A00009 (7 lots involving approximately 20 acres)

CONTINGENT ON:

1. The applicants obtain approval from the township for the preliminary plat per Minnesota State Statute Section 505.09, Subdivision 1a.
2. Wetland fill be approved by Crow Wing Soil and Water.
3. The County has the authority to approve the plat.

FINDINGS OF FACT:

1. There is adequate ingress/egress onto Sweet Road.
2. There is adequate area for structures and septic.
3. Meets the Subdivision Ordinance requirements.
4. The lots as proposed meet the lot width and lot area requirements for Rural Residential 2.5 zoning districts.
5. This board's opinion is that a lesser number of lots would be more desirable for this plat.

On motion of Commissioner Franzen seconded by Commissioner Thiede, upon recommendation of the Solid Waste Coordinator, that payments be made to the following for 2007 recycling programs, in accordance with County Policy, and the County Auditor is authorized to issue the warrants from the SCORE Fund, all members voted "AYE".

City of Baxter	\$31,000
City of Brainerd	84,390
City of Crosslake	25,000
City of Emily	3,500
City of Garrison	4,500
City of Nisswa	14,000
City of Pequot Lakes	11,650
C-I-D Recycling	17,620

Commissioner Franzen offered the following resolution and moved its adoption:

BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, authorizes the Solid Waste Coordinator to prepare specifications for CONSTRUCTION OF MMSW-376 LANDFILL CELL 4.

BE IT FURTHER RESOLVED the County Auditor is authorized to establish a bidding date when the above specifications are complete.

Which resolution being seconded by Commissioner Tautges was duly adopted, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Franzen the Board, upon recommendation of the Human Services Director, agrees to enter into a revised Purchase of Service Agreement with Northern Pines Mental Health Center, Inc. for Mental Health Services - Adult Community Support, and the Chairman and County Auditor are authorized to sign said Agreement, upon approval of the County Attorney, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Nystrom the Board, upon recommendation of the Human Services Director, approves the payment plan to Northern Pines Mental Health Center that will include a \$5,000 per month payment for each month of 2007 and the remaining \$4,027 to be paid with the first payment of the year, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Tautges the Board authorizes the Land Commissioner to pursue Special Legislation to allow Crow Wing County to sell tax forfeited land which abuts protected water in excess of 150 feet described as Government Lot 1, Section 26, Township 138, Range 27, 220262201000009; and further, subsequent sale is to be made to the adjacent owner in accordance with Minnesota Statute 282.01, Subdivision 7a, subject to a conservation easement; and further, prior to sale, Crow Wing County authorizes the Commissioner of Revenue to grant a permanent easement to the Minnesota Department of Natural Resources, pursuant to Minnesota Statute 282.37, for purposes of protection of an important aquatic habitat, all members voted "AYE".

The Board received the following quotes to perform appraisals of tax forfeited property located in the City of Breezy Point described as:

1. Lot 39, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000390009 (Appraisal Project A)
2. Lot 41, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000410009 (Appraisal Project A)
3. Lot 42, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000420009 (Appraisal Project A)
4. Lot 46, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000460009 (Appraisal Project A)

5. Lot 47, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000470009 (Appraisal Project A)
6. Lot 48, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000480009 (Appraisal Project A)
7. Lot 2, 4TH ADDITION TO BREEZY POINT ESTATES, 101160000020009 (Appraisal Project B)
8. Lot 13, Block 2, WHITEBIRCH FIVE, 101590020130009 (Appraisal Project C)
9. Lot 54, RANCHETTE ADDITION TO BREEZY POINT ESTATES, 101240000540009 (Appraisal Project D)

<u>APPRAISER</u>	<u>APPRAISAL PROJECT A AMOUNT</u>	<u>APPRAISAL PROJECT B AMOUNT</u>	<u>APPRAISAL PROJECT C AMOUNT</u>	<u>APPRAISAL PROJECT D AMOUNT</u>
James H. Bedard	\$ 650	\$325	\$325	\$325
Greg Kvale	1,350	490	490	490
Scott Lanz	350	175	175	175
William R. Ludenia	875	300	300	300
Richard Munsch	825	275	275	275

On motion of Commissioner Thiede seconded by Commissioner Tautges the Board, upon recommendation of the Land Commissioner, accepts the low quotes of Scott Lanz, and authorizes the work be performed accordingly, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Tautges, upon recommendation of the Land Commissioner, the County Auditor is authorized to obtain quotes from Certified State Real Property Appraisers licensed according to Minnesota Statute 82B to perform an appraisal of tax forfeited land described as Lot 57, 8TH ADDITION TO BREEZY POINT ESTATES, 101070000570009, to be received until 2:00 p.m. on February 8, 2007, all members voted "AYE".

Commissioner Franzen offered the following resolution and moved its adoption:

BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, designates all tracts on the preliminary 2007 Tax Forfeited Land Sale List as nonconservation, except Lot 254 of Tract 07, Tract 46, Tract 47, Tract 53, Tract 56, Tract 71, Tract 74, Tract 94, Tract 103, Tract 105, Lot 12 of Tract 109, Tract 117, Tract 118, and Tract 121, pursuant to Minnesota Statute 282.01, Subdivision 1, as recommended by the Land Commissioner and on file in the Office of the County Auditor.

Which resolution being seconded by Commissioner Nystrom was duly adopted, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Franzen the Board, upon recommendation of the Parks Advisory Commission, approves the Final Site Plan and Scope of Work for the South Long Lake Community Park, as on file in the Office of the County Auditor, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Franzen the Parks Department is authorized to obtain quotes for work and materials needed to complete the Scope of Work for the South Long Lake Community Park, with quotes to be returned to the Board for review, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Franzen the Parks Department is authorized to obtain quotes for plants/shrubs for the Crow Wing County Rain Garden Project, with quotes to be returned to the Board for review, all members voted "AYE".

Commissioner Nystrom offered the following resolution and moved its adoption:

BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, agrees to enter into an Income Contract between Crow Wing County and the State of Minnesota, Department of Corrections, for the Sentencing to Service Program, to be conducted during the period from July 1, 2007, to June 30, 2009.

BE IT FURTHER RESOLVED the Chairman and County Auditor are authorized to sign said Contract as necessary to implement the program on behalf of Crow Wing County, upon approval of the County Attorney.

Which resolution being seconded by Commissioner Thiede was duly adopted, all members voted "AYE".

On motion of Commissioner Tautges seconded by Commissioner Nystrom the Board, upon recommendation of the County Sheriff, authorizes the following employees to attend out-of-state schools as listed, all members voted "AYE".

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>DATE</u>	<u>LOCATION</u>	<u>PAID FROM</u>
Todd Hines	Bomb Technician Recertification School	February 5-9, 2007	Huntsville, AL	FBI
Donald Downie	Internet Crimes Against Children (ICAC) School	February 27-March 1, 2007	LaVista, NE	OJJDP (Office of Juvenile Justice & Delinquency Prevention), ICAC & Sheriff's Budget

Bryan Vieths	K9 Drug Detection Enhancement Class	April 30-May 4, 2007	Camp Dodge, IA	Sheriff's Budget
Patrick Pickar	K9 Drug Detection Enhancement Class	April 30-May 4, 2007	Camp Dodge, IA	Sheriff's Budget
David Larson	Property Room Management School	August 13-14, 2007	Fargo, ND	Sheriff's Budget

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board accepts the following recommendations regarding Courtroom security, as presented by the Human Resources Director, all members voted "AYE".

- Adopt pilot and integrate into department organizational structure and regular staffing model for courtroom security
- Reclassify temporary pilot staff to regular part-time status
- Temporary reassignment of one full-time Deputy to patrol to cover for vacancy due to timing of retirement and extension of military leave of absence
- Increase part-time Deputy staff by one member for improved staffing levels – will not increase labor hours

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board then convened to a closed meeting to discuss labor negotiations, all members voted "AYE".

Present were all County Board members, County Auditor Deborah Erickson, County Administrator David Hamilton, Human Resources Director Tamra Laska and County Attorney Donald Ryan.

On motion of Commissioner Nystrom seconded by Commissioner Franzen the Board then reconvened to the County Board meeting, all members voted "AYE".

On motion of Commissioner Nystrom seconded by Commissioner Tautges the Board authorizes a Request for Proposals for Crow Wing County Medical Examiner Transport Service, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Tautges the Board received the County Board of Commissioners Strategic Planning Workshop Notes from January 10, 2007, and placed it on file, all members voted "AYE".

Committee appointments for 2007 were assigned and the listing will be finalized at the next meeting.

On motion of Commissioner Tautges seconded by Commissioner Franzen the following bills were allowed, all members voted "AYE".

ALL STAR TROPHY & AWARDS, INC	SUPPLIES	\$625.95
AMERICAN SOLUTIONS FOR BUSINESS	SUPPLIES	950.71
ANDERSON BROTHERS CONSTRUCTION COMPANY	CONTRACT AGREEMENT	26,580.77
APPLIED CONCEPTS INC	SUPPLIES	9,355.00
AUTO VALUE BRAINERD WEST	SUPPLIES	876.10
B & B PRODUCTS	CAPITAL EXPENDITURE	15,531.60
BEHAVIORAL FORENSIC SERVICES	PROFESSIONAL FEE	2,120.00
BEST ACCESS SYSTEMS	REPAIR & MAINTENANCE	604.82
BORDEN/LAUREEN	TRAVEL & MEETING	448.94
BRAINERD DISPATCH	PUBLISHING	3,354.68
BRAINERD LICENSE OFFICE	LICENSE	1,280.30
BRAINERD MEDICAL CENTER	PROFESSIONAL FEE	455.64
CAR QUEST	SUPPLIES	3,195.17
CAREER CLOTHES	UNIFORM	688.15
CDW INC	SUPPLIES	3,059.42
CITY OF AITKIN	CONTRACT AGREEMENT	2,510.00
CITY OF BAXTER	CONTRACT AGREEMENT	404.74
CROW WING COUNTY HIGHWAY DEPARTMENT	REPAIR & MAINTENANCE	4,074.52
CROW WING SOIL AND WATER CONSERVATION	PROFESSIONAL FEE	1,200.00
CUMMINS NPOWER	REPAIR & MAINTENANCE	2,187.72
ELECTRICAL SYSTEMS INC	CONTRACT AGREEMENT	4,347.60
ELK RIVER FORD	CAPITAL EXPENDITURE	84,164.00
ERICKSON/DEBORAH	TRAVEL & MEETING	473.01
FIRST IMPRESSION PRINTING	SUPPLIES	4,295.89
FLEET FUELING	VEHICLE EXPENSE	1,796.77
G & K SERVICES	SERVICE	621.85
GALLES/ANDREW	REGISTRATION FEE	423.84
GALLS INC	SUPPLIES	1,355.05
GODFATHERS EXTERMINATING INC	CONTRACT AGREEMENT	432.40

GUNTER/TAMI	TRAVEL & MEETING	309.58
HEADSETS DIRECT INC	SUPPLIES	962.19
HEARTLAND ANIMAL RESCUE TEAM	CONTRACT AGREEMENT	3,415.04
HEARTLAND TIRE SERVICE	SUPPLIES	1,021.24
HOISINGTON KOEGLER GROUP INC	CONTRACT AGREEMENT	10,897.73
HWY 18 COLLISION CENTER INC	REPAIR & MAINTENANCE	8,566.00
INFORMATION SYSTEMS CORPORATION	SUPPLIES	393.89
ISD #181	CONTRACT AGREEMENT	25,000.00
JRH AUTOMOTIVE EQUIPMENT	CONTRACT AGREEMENT	6,556.18
KELLY SERVICES INC	SERVICE	1,299.28
KRAUSE LOCK & KEY	REPAIR & MAINTENANCE	407.68
L-TECH ENTERPRISES, INC.	SUPPLIES	472.96
LAKES AREA MAILING	CONTRACT AGREEMENT	2,237.70
LANDECKER & ASSOCIATES	PROFESSIONAL FEE	3,781.25
LEXIS NEXIS	SUPPLIES	649.00
LOCH/AMY	TRAVEL & MEETING	336.86
M R SIGN COMPANY INC	SUPPLIES	2,071.88
MARCO BUSINESS PRODUCTS	CONTRACT AGREEMENT	1,584.08
MARTIN COMMUNICATIONS INC	SUPPLIES	2,934.00
MATTHEW BENDER & CO INC	SUPPLIES	574.80
MEDTOX LABORATORIES INC	CONTRACT AGREEMENT	420.43
MEEKER COUNTY SHERIFF	BOARD OF PRISONERS	2,255.28
MILLE LACS ENERGY COOPERATIVE	REPAIR & MAINTENANCE	329.94
MILLS MOTOR INC	REPAIR & MAINTENANCE	881.95
MINNESOTA COUNTIES INSURANCE TRUST	INSURANCE AND BONDS	5,000.00
MINNESOTA DEPARTMENT OF HUMAN SERVICES	SERVICE	3,993.00
MINNESOTA DEPARTMENT OF PUBLIC SAFETY	SERVICE	910.00
MINNESOTA DEPARTMENT OF REVENUE	SERVICE	1,950.00
MINNESOTA OFFICE OF ENTERPRISE	SUPPLIES	1,584.95
MINNESOTA POLLUTION CONTROL AGENCY	REGISTRATION FEE	660.00
MINNESOTA POWER	UTILITIES	1,713.83
MOUNT/JENNIFER	TRAVEL & MEETING	347.93
NAPA AUTO PARTS	SUPPLIES	304.30
NELSON DODGE GMC	CAPITAL EXPENDITURE	17,896.95
NISSWA SANITATION	UTILITIES	1,083.23
NORTHERN SAFETY TECHNOLOGY	SUPPLIES	1,129.94
OFFICE SHOP	SUPPLIES	6,499.68
PEQUOT LAKES PHYSICAL THERAPY SERVICES	SERVICE	822.60
PIERZ IMPLEMENT	SUPPLIES	316.12
QWEST	COMMUNICATION	1,406.60
R M COTTON COMPANY	REPAIR & MAINTENANCE	814.46
RETROHARDWARE INC	SUPPLIES	852.00
SCHOELL & MADSON INC	PROFESSIONAL FEE	30,992.30
SMITH/ALAN	TRAVEL & MEETING	426.16
ST JOSEPHS MEDICAL CENTER	PROFESSIONAL FEE	477.22
SUPERCIRCUITS	SUPPLIES	447.95
TAMCO CAPITAL CORPORATION	SUPPLIES	561.00
TCBX	CONTRACT AGREEMENT	400.00
THRAMER/LORI	TRAVEL & MEETING	543.80
TRIANGLE OIL COMPANY	VEHICLE EXPENSE	23,241.17
WASTE MANAGEMENT OF NORTHERN MINNESOTA	UTILITIES	676.92
WATER RESOURCES CENTER	REGISTRATION FEE	2,765.00
WEST PAYMENT CENTER	SUPPLIES	6,616.02
WIDSETH SMITH NOLTING	PROFESSIONAL FEE	7,032.82
NORTH COUNTRY SECURITY	CONTRACT AGREEMENT	3,458.65
TOTAL NUMBER CLAIMS NOT EXCEEDING \$300 236	TOTAL DOLLAR AMOUNT	17,344.14

On motion the Board adjourned to February 13, 2007.

JOHN FERRARI, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
CROW WING COUNTY, MINNESOTA

DEBORAH A. ERICKSON, COUNTY AUDITOR
CROW WING COUNTY, MINNESOTA