

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
CROW WING COUNTY, MINNESOTA
Meeting held on May 8, 2007

The Board of County Commissioners met in adjourned session on May 8, 2007, at 9:30 a.m.

All members were present.

On motion of Commissioner Franzen seconded by Commissioner Nystrom the minutes of the April 25, 2007, regular County Board meeting be approved as published and the reading of said minutes be dispensed with, all members voted "AYE".

On motion of Commissioner Franzen seconded by Commissioner Nystrom the minutes of the April 17, 2007, Committee of the Whole meeting be approved as published and the reading of said minutes be dispensed with, all members voted "AYE".

Commissioner Tautges added the Sebie Lake clean-up under the Land Department portion of the agenda. On motion of Commissioner Franzen seconded by Commissioner Nystrom the agenda of the May 8, 2007, regular County Board meeting be approved as amended, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board authorizes the Purchasing Agent to obtain quotes for Exterminating/Pest Control Service, all members voted "AYE".

On motion of Commissioner Nystrom seconded by Commissioner Franzen the Board authorizes the Parks Supervisor to obtain quotes for Roadside Spraying of County Right-of-Ways within Crow Wing County as designated, all members voted "AYE".

On motion of Commissioner Franzen offered the following resolution and moved its adoption:

BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, designates May 15, 2007, as Peace Officers' Memorial Day and directs that the flags be displayed at half-staff on all County buildings. Which resolution being seconded by Commissioner Nystrom was duly adopted, all members voted "AYE".

On motion of Commissioner Nystrom seconded by Commissioner Franzen the Board, upon recommendation of the Buildings and Grounds Committee, approves the following Requests to Issue Change Order, and the Chairman and County Auditor are authorized to sign the actual Change Orders when received, upon approval of the County Attorney, all members voted "AYE".

NEW JAIL FACILITY

<u>CONTRACTOR</u>	<u>BID CATEGORY</u>	<u>CHANGE ORDER</u>
Avon Electric Services, Inc.	29 - Electrical	Add \$1,676
Stanley Security Solutions Inc. (Stanley-Integrator)	25 - Security/Controls	Deduct \$500
Crow Wing County		Add \$3,450.75

CROW WING COUNTY BUILDING RENOVATION COURTHOUSE REMODEL-PHASE III AND COURTHOUSE ANNEX-PHASE II

<u>CONTRACTOR</u>	<u>BID CATEGORY</u>	<u>CHANGE ORDER</u>
Honeywell Building Solutions		Add \$5,010
Holden Electric	12 - Electrical	Add \$547
Geo's Paint & Finish	7 - Painting	Add \$5,036
Eagle Construction	1 - General Construction	Add \$1,243
Holden Electric	12 - Electrical	Add 537.27
Gorham Oien Mechanical	10 - Plumbing	Add \$400
Geo's Paint & Finish	7 - Painting	Add \$4,900
MCI	6 - Flooring	Add \$115

On motion of Commissioner Franzen seconded by Commissioner Nystrom the Board reappoints the following to the Thirty Lakes Watershed District Board of Managers with terms expiring as noted, all members voted "AYE".

Bruce Yund	05-17-11
Dale Armstrong	05-17-10
Thomas Ebnet	05-17-11

The Chairman appointed Commissioner Nystrom the Board to serve as the liaison to the Brainerd Lakes Area Development Corporation.

On motion of Commissioner Nystrom seconded by Commissioner Franzen the Board affirms the following Chair appointments; Commissioner Tautges to the Brainerd Lakes Regional Airport Commission, Commissioner Franzen to the Family Services Collaborative Governance Board as the Social Services representative, and to leave the remaining District Five vacancies open until a new Commissioner is elected, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Franzen the plat of 1ST ADDITION TO RED RIVER TRAIL, platted from Lot 1 Block 2 Red River Trail, Sec. 24-44-32, Fort Ripley Township, 631160020010009 (6 lots involving approximately 15 acres), be approved, provided all taxes are paid, all members voted "AYE".

FINDINGS OF FACT:

1. Meets Subdivision Ordinance requirements.
2. Consistent with the approval of the preliminary plat.

On motion of Commissioner Franzen seconded by Commissioner Thiede the plat of HERITAGE ACRES, platted from Pt. Govt. Lot 4, Sec. 36-46-28 Deerwood Township, 590362204ABA009, (7 lots involving approximately 17 acres), be approved provided all taxes are paid, all members voted "AYE".

FINDINGS OF FACT:

1. Meets Subdivision Ordinance requirements.
2. Consistent with the approval of the preliminary plat.

On motion of Commissioner Franzen seconded by Commissioner Thiede the plat of 1ST ADDITION TO SUNSET PINES, platted from SE1/4 of NE1/4 & that Pt. NE1/4 of NE1/4 lying S. of Block 1, SUNSET PINES, Sec. 7-135-28, Lake Edward Township, 730071400000009 & 730071100000009, (5 lots involving approximately 51.7 acres), be approved provided all taxes are paid, all members voted "AYE".

FINDINGS OF FACT:

1. Meets Subdivision Ordinance requirements.
2. Consistent with the approval of the preliminary plat.

On motion of Commissioner Thiede seconded by Commissioner Nystrom the Board approves the preliminary plat of DRAHOS NORTHWOODS with the conditions listed below, as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

Gov Lot 2 (SW1/4 of NE1/4), SE1/4 of NE1/4, NE1/4 of SE1/4, Gov Lot 3 SE1/4 of SW1/4, the E 350 FT of the NENE, Gov Lot 1 (NW1/4 of NE1/4), NW1/4 of SE1/4, NE1/4 of NE1/4, Sec 09, Twp 134N, Rge 28W, Unorganized Territory.970091100C00009, 970091201AB0009, 970091302000009, 970093403000009, 970094200000009, 970094100A00009,970091400BB0009 (46 lots involving approximately 140 acres)

Approval Contingent Upon:

1. Alternative names for "Drahos Trail" are provided and approved by the County Surveyor;
2. Adequate right-of-way to facilitate "Drahos Trail" is documented;
3. Documentation of deeded access to the proposed plat from Legionville Road to the plat is verified by the County Surveyor;
4. Temporary turn-around provisions need to be shown at the end of the proposed Drahos Road;
5. A bypass lane on County Road 119 is constructed in accordance to the County Engineer's Office;
6. Road constructed to County Standards and approved by the County's Engineer's Office or a \$40,000.00 bond is posted;
7. An approved MPCA cluster sewer system design is on file at the Planning & Zoning Office.
8. Meets the 30 Lakes Watershed District stormwater requirements.

Findings of Fact:

1. There is adequate ingress/egress onto County Road 119 (Legionville Road);
2. There is adequate area for structures and septic;
3. Conforms to the Subdivision Ordinance requirements including the length of the proposed road identified as Drahos Road ending in a temporary cul-de-sac;
4. The lots as proposed meet the lot size and lot width requirements for the appropriate zoning districts.

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board approves the preliminary plat of SALLYS WOODS, as recommended by the Planning Commission, with the conditions listed below, based on the following findings of fact, all members voted "AYE".

E 660 FT of NW1/4 of NE1/4 & SW1/4 of NE1/4, Sec 24, Twp 137N, Rge 28W, Ideal Township, 680241200A00009, 680241300A00009, (40.1 acres consisting of 7 lots)

Approval Contingent Upon:

1. The County Surveyor's approval of the legal description.

Findings of Fact:

1. There is adequate ingress/egress from Pine Terrace Road;
2. There is adequate area for structures and septic;
3. Meets the Subdivision Ordinance requirements;
4. Ideal Township supports the preliminary plat.

On motion of Commissioner Franzen seconded by Commissioner Nystrom the petition of William Ebinger for the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

N1/2 of NE1/4 of SW1/4, Sec 10, Twp 134N, Rge 28W, Unorganized Territory, 970103100A00009
Rezone from Agricultural to Rural Residential 2.5 (approximately 4 acres)

Findings of Fact:

1. There is adequate ingress/egress onto Devries Road;
2. There is adequate area for structures and septic;
3. Consistent with the Unorganized Territory Comprehensive Plan and Future Land Use Map;
4. Compatible with the Rural Residential 2.5 on the adjacent southerly parcel;
5. Creates a density consistent with the surrounding area.

On motion of Commissioner Franzen seconded by Commissioner Nystrom the petition of Keith and Daniel Clarke for the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

E1/2 of NE1/4 of NW1/4 & the S 643.50 FT of the E1/2 of NE1/4 of NW1/4, Sec 20, Twp 135N, Rge 28W, Lake Edward Township, 730202100A00009, 730202100AB0009 Rezone from Agricultural to Rural Residential 5 involving approximately 21.28 acres.

Findings of Fact:

1. There is adequate ingress/egress onto County Road 13;
2. There is adequate area for structures and septic;
3. Compatible with the Rural Residential 5 zoning to the North and West;
4. Does not create a density impact that is inconsistent with the surrounding area;
5. Lake Edward Township supports the request.

On motion of Commissioner Thiede seconded by Commissioner Franzen the petition of Colleen Little and James Herlofsky, the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

N 300 FT of the SW1/4 of NW1/4, Sec 27, Twp 45N, Rge 28W, Bay Lake Township, 500272300CZ0009
Rezone from Agricultural to Rural Residential 2.5 (approximately 5 acres)

Findings of Fact:

1. There is adequate ingress/egress onto State Highway 6;
2. There is adequate building area as there is an existing house on the property;
3. The existing tract does not meet the Agricultural lot area requirements of 10 acres;
4. Compatible with the Rural Residential 2.5 on the adjacent parcel to the East;
5. Bay Lake Township supports the rezoning request.

On motion of Commissioner Franzen seconded by Commissioner Nystrom the petition of Raymond & Diane Sundeen, the following zoning reclassification be approved as recommended by the Planning Commission, based on the following findings of fact, all members voted "AYE".

W 150 FT of Gov Lot 2, Sec 17, Twp 136N, Rge 27W, Mission Township, 770173202MAB009
Rezone from Green Space to Shoreland Residential 1 (approximately 2.3 acres)

Findings of Fact:

1. There is adequate ingress/egress onto North Horseshoe Lake Road;
2. There is adequate area for structures and septic according to letter dated 3-19-07 from Crow Wing Soil & Water;
3. Compatible with the Shoreland Residential 1 lots to the South;
4. The rezoning of this one tract would not create a density impact that is inconsistent with the surrounding area;
5. This is the only zoning that will apply to this parcel.

The Board received a financial update and trend analysis regarding Central Minnesota Community Corrections from the Auditor's Office.

The Board received a request from Central Minnesota Community Corrections for a contingency payment of \$108,593.63 for operating expenses at the Central Minnesota Juvenile Center. The Board took no action on the request.

On motion of Commissioner Franzen seconded by Commissioner Nystrom the Board supports the Minnesota Lawful Gambling Application of the Crow Wing County Fair Association for an Exempt Permit to be held July 31, and August 1-4, 2007, at the Crow Wing County Fairgrounds, subject to approval of the Town of Oak Lawn, all State Laws and the applicant submitting a copy of reports required by the State, all members voted "AYE".

On motion of Commissioner Franzen seconded by Commissioner Nystrom the Board supports the Minnesota Lawful Gambling Application of the Crow Wing County Snowmobile Trails Association for an Exempt Permit to be held January 13, 2008, at The Old Waterfall, subject to all State Laws and upon approval of said Application, the applicant submitting a copy of reports required by the State, all members voted "AYE"

On motion of Commissioner Franzen seconded by Commissioner Nystrom the Board authorizes the County Auditor to sign the Snowmobile Trails Assistance Program Maintenance and Grooming Certification of Satisfactory Grooming Benchmark 3 for the Fort Ripley North Country Trail Busters, all members voted "AYE".

Commissioner Thiede offered the following resolution and moved its adoption:

WHEREAS, the State of Minnesota is in need of the care and custody of selected participants in the Work Release Program.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, agrees to enter into a Joint Powers Agreement between the State of Minnesota, Department of Corrections, Work Release Unit, and Crow Wing County to accept as residents those offenders conditionally released on work release as provided in Minnesota Statute 241.26 and allow them to participate in the Crow Wing County Jail Annex work release program, effective July 1, 2007, through June 30, 2008.

BE IT FURTHER RESOLVED the Chairman and County Administrator are authorized to sign said Agreement, upon approval of the County Attorney.

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

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board tables until the next meeting a decision cancelling the roadway easement granted to Warren T. White and Margaret M. White crossing tax forfeited land in Sections 35, 36-T44-R28 and Section 1-T43-R28 as recorded on 7-20-60 on page 20 of Book 172 of Deeds, Document # 196501, all members voted "AYE".

On motion of Commissioner Nystrom seconded by Commissioner Thiede the Board accepts the appraisal submitted by Bill Ludenia for tax forfeited land described as part of the NESW Section 24-138-27 and further payment of appraisal fee totaling \$350 is authorized to be debited from the Forfeited Tax Sale Fund, all members voted "AYE".

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board, upon recommendation of the Land Commissioner, authorizes the County Auditor to commence an Alternate Sale Procedure, in accordance with Minnesota Statute 282.01, Subdivision 7a, for a non-conforming tax forfeited tract described as Part of NESW Section 24-T138-R27, 220243100C00009, to John P. Fudali Jr. & Merryonne Fudali; and further the sale price to be the appraised value of \$7,300, all members voted "AYE".

On motion of Commissioner Nystrom seconded by Commissioner Thiede the Board authorizes the Land Commissioner to obtain quotes to appraise tax forfeited in Section 3-135-27 and Section 11-43-31 and a private parcel in Section 35-43-29 for purposes of developing land exchange proposals and a possible acquisition by the County; and further, the quotes to be returned to the County Board for review, all members voted "AYE".

On motion of Commissioner Nystrom seconded by Commissioner Franzen the Board, upon recommendation of the Solid Waste Coordinator, waives the tipping fee for the clean up on public land for the Sebie Lake clean-up.

On motion of Commissioner Thiede seconded by Commissioner Franzen the Board extends an offer of employment to Robert Nelson as the Veterans Service Officer at \$4,522 per month which is step 11 of the non-contract wage grid, effective June 4, 2007, all members voted "AYE".

The Camp Ripley Annual Update Brief 2007 was presented by COL Richard Weaver, Post Commander, and Marty Skoglund, Environmental Supervisor.

On motion of Commissioner Thiede seconded by Commissioner Franzen, upon recommendation of the Solid Waste Coordinator, that payments be made to the following for their 2007 recycling program, 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 Breezy Point	\$12,000
Crow Wing Township	7,000
Mission Township	3,500

On motion of Commissioner Franzen seconded by Commissioner Thiede the Board, upon recommendation of the Solid Waste Coordinator, agrees to enter into a Pipeline Easement agreement with Burlington Northern Santa Fe Railroad, all members voted "AYE".

On motion of Commissioner Franzen seconded by Commissioner Thiede the Board, upon recommendation of the Solid Waste Coordinator, agrees to sell surplus Landfill Gas Equipment to the East Central Solid Waste Commission for \$250.00, all members voted "AYE".

Assistant County Attorney John Sausen updated the Board on the progress of the proposed Noise Ordinance. Options to address specific problems include adopting an ordinance that any public business cannot have outside music after a certain time or add restrictions to the liquor license. The Board agreed to review options at the next meeting.

The County Administrator informed the Board that Cass County had passed a Resolution requesting the Minnesota Supreme Court to adopt liberal ITV use rules pertaining to the jail. A draft resolution for Crow Wing County will be brought to the Board at the May 22, 2007 meeting.

The County Administrator informed the board on the Sesquicentennial Commission.

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

ABILITYONE CORPORATION	SUPPLIES	\$1,173.63
ANDERSON/CHRISTINE	TRAVEL & MEETING	397.99
APEX SOFTWARE	SUPPLIES	1,980.00
AQUA-PLUS INC	SERVICE	3,805.00
AUDIO COMMUNICATIONS OF BIG LAKE	SUPPLIES	2,827.72
BLOOD BROTHERS FENCE	SUPPLIES	1,625.00
BODY WORKS/THE	SUPPLIES	5,331.95
BOYER TRUCK PARTS	SUPPLIES	609.65
BRAINERD DISPATCH	PUBLISHING	3,238.28
BRAINERD MEDICAL CENTER	PROFESSIONAL FEE	451.05
BRAINERD PUBLIC UTILITIES	UTILITIES	32,559.63
BUDGET BLINDS OF BRAINERD	SUPPLIES	304.59
CAR QUEST	SUPPLIES	1,050.67
CAREERTRACK	REGISTRATION FEE	378.00
CDW INC	SUPPLIES	5,795.95
CENTERPOINT ENERGY MINNEGASCO	UTILITIES	40,994.10
CENTURY ELECTRIC AND EQUIPMENT REPAIR	REPAIR & MAINTENANCE	1,372.32
CHARM-TEX	SUPPLIES	1,617.26
CONSOLIDATED TELECOMMUNICATIONS COMPANY	COMMUNICATION	1,148.00
CROW WING COUNTY RECORDER	SERVICE	552.00
DASH MEDICAL GLOVES	SUPPLIES	758.50
DELL MARKETING L P	SUPPLIES	6,436.19
DONDELINGER CHEVROLET CADILLAC TOYOTA	REPAIR & MAINTENANCE	4,717.84
ELITE FENCE & DECK	REPAIR & MAINTENANCE	825.00
FASTENAL COMPANY	SUPPLIES	580.73
FIRST IMPRESSION PRINTING	SUPPLIES	2,194.28
FORESTRY SUPPLIERS	SUPPLIES	1,450.86
FRONTIER PRECISION INC	SUPPLIES	1,065.00
G & K SERVICES	CONTRACT AGREEMENT	463.06
GOPHER SPORT	SUPPLIES	1,029.75
GRAINGER	SUPPLIES	2,207.95
HEARTLAND TIRE SERVICE	SUPPLIES	674.98
HINES PRODUCTS	SUPPLIES	1,142.00
HIRSHFIELDS INC	REPAIR & MAINTENANCE	456.88
HOISINGTON KOEGLER GROUP INC	CONTRACT AGREEMENT	6,204.86
INFORMATION SYSTEMS CORPORATION	SUPPLIES	1,051.49
J & N TACTICAL, LLC	SUPPLIES	532.49
KEEPRS	UNIFORM	2,196.22
KELLY SERVICES INC	CONTRACT AGREEMENT	1,546.71
KRISS PREMIUM PRODUCTS INC	REPAIR & MAINTENANCE	649.87
LAKES AREA MAILING	CONTRACT AGREEMENT	3,798.52
LAKES AREA MAT SERVICE II	CONTRACT AGREEMENT	998.33
LITTLE FALLS MACHINE INC	REPAIR & MAINTENANCE	1,400.48
M R SIGN COMPANY INC	SUPPLIES	2,764.97
MARCO FINANCING	CONTRACT AGREEMENT	3,185.50
MARIE DAVID GROUP	SUPPLIES	452.60
MARSDEN BUILDING MAINTENANCE	CONTRACT AGREEMENT	15,522.38
MENARDS	SUPPLIES	352.25

MILLS MOTOR INC	REPAIR & MAINTENANCE	452.35
MINNESOTA OFFICE OF ENTERPRISE	COMMUNICATION	1,201.00
MINNESOTA POLLUTION CONTROL AGENCY	SERVICE	745.00
MINNESOTA SCHOOL OF DIVING	REPAIR & MAINTENANCE	642.99
MOORE MEDICAL CORPORATION	SUPPLIES	642.68
MORSE WATCHMANS, INC	SUPPLIES	698.64
MYERS/DENNIS	TRAVEL & MEETING	347.61
NAPA AUTO PARTS	SUPPLIES	520.27
NEW WASTE CONCEPTS INC	SUPPLIES	26,170.00
NORTHERN DOOR AND HARDWARE INC	REPAIR & MAINTENANCE	346.13
NORTHERN WATER WORKS SUPPLY INC	REPAIR & MAINTENANCE	5,192.25
NORWOOD/CHERYL	TRAVEL & MEETING	352.33
OFFICE SHOP	SUPPLIES	9,727.08
PRO STAFF	SERVICE	486.00
PRO-SCAPE	CONTRACT AGREEMENT	6,990.00
PRT	SUPPLIES	3,275.50
PSS - MINNEAPOLIS	SUPPLIES	2,576.36
QWEST	COMMUNICATION	2,632.88
R W BECK & ASSOCIATES	PROFESSIONAL FEE	60,004.57
RIDGEWATER COLLEGE	REGISTRATION FEE	395.00
ROAD EQUIPMENT PARTS CENTER	REPAIR & MAINTENANCE	563.78
ROHLFING SUPPLY	SUPPLIES	1,216.23
SAGE SOFTWARE	SUPPLIES	2,279.25
SIEMENS BUILDING TECHNOLOGIES, INC	CONTRACT AGREEMENT	720.00
SIGN SPOT	SUPPLIES	1,269.47
SOFTWARE HOUSE INTERNATIONAL	SUPPLIES	7,309.11
SRF CONSULTING GROUP, INC	PROFESSIONAL FEE	367.56
STROSCHEIN/STEVE	TRAVEL & MEETING	437.07
SUITE SPACES	CAPITAL EXPENDITURE	6,475.03
TAMCO CAPITAL CORPORATION	COMMUNICATION	561.00
TDS METROCOM	COMMUNICATION	3,172.54
TRIANGLE OIL COMPANY	VEHICLE EXPENSE	6,257.49
TRUCK UTILITIES	SUPPLIES	351.02
ULTRAMAX AMMUNITION	SUPPLIES	2,225.00
UNICEL	COMMUNICATION	2,291.20
UNITED RENTALS (NORTH AMERICA) INC	SUPPLIES	323.47
UNIVERSITY OF MINNESOTA	REGISTRATION FEE	350.00
VIKING ELECTRIC SUPPLY	SUPPLIES	497.47
WIRESHARK UNIVERSITY	SUPPLIES	1,196.00
XEROX CORPORATION	CONTRACT AGREEMENT	802.69
TOTAL NUMBER CLAIMS NOT EXCEEDING \$300 132	TOTAL DOLLAR AMOUNT	14,294.34

On motion the Board adjourned to May 22, 2007.

DEWAYNE TAUTGES, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
CROW WING COUNTY, MINNESOTA

DAVID HAMILTON, COUNTY ADMINISTRATOR
CROW WING COUNTY, MINNESOTA