

**CROW WING COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES**

Historic Courthouse
Brainerd, Minnesota

June 23, 2009

Chair Franzen called the meeting to order at 9 a.m. and called for participation in reciting the Pledge of Allegiance followed by a moment of silence.

Present: District 1 Philip Trusty
 District 2 Paul Thiede
 District 3 Rachel Reabe Nystrom
 District 4 Rosemary Franzen
 District 5 Doug Houge

Others Present: County Administrator Timothy Houle, County Auditor Deborah Erickson, County Attorney Donald Ryan, staff and citizens.

OPEN FORUM – None.

APPROVAL OF MINUTES AND AGENDA

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the minutes of the June 9, 2009 regular County Board meeting, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Nystrom to approve the minutes of the June 16, 2009 Committee of the Whole meeting, as amended, all aye. Motion carried.

Moved by Commissioner Trusty seconded by Commissioner Nystrom to approve the agenda of the June 23, 2009 meeting, all aye. Motion carried.

CONSENT AGENDA

Moved by Commissioner Trusty seconded by Commissioner Houge to approve the following consent agenda, all aye. Motion carried.

1. Approved the Minnesota Lawful Gambling Application of the Crow Wing County Snowmobile Trails Association for an Exempt Permit to be held on the date of January 10, 2010, at the Old Waterfall , First Assessment, subject to all State Laws and upon approval of said date, the applicant submitting a copy of reports required by the State.
2. Approved the Minnesota Lawful Gambling Application of the Crow Wing County Fair Association for an Exempt Permit to be held on the dates of August 4, 2009 – August 8, 2009, at the Crow Wing County Fairgrounds , Oak Lawn Township, subject to all State Laws and upon approval of said dates, the applicant submitting a copy of reports required by the State.
3. Approved the renewal 3.2 Percent Malt Liquor License Application of Heartland Enterprises of Deerwood, Inc., Heartland Hockey Camp, as approved by the County Attorney, County Sheriff and Deerwood Township, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said License.

4. Approved the Snowmobile Trail Permits between Crow Wing County and Cuyuna Range Snowmobile Trails, Inc. and Merrifield Marathons Snowmobile Club, across property as described on file in the Office of the County Auditor, and the Chair and County Auditor are authorized to sign said Permits.
5. Approved the All Terrain Vehicle Trail Permit between Crow Wing County and Central Minnesota Wheelers Association, across property as described on file in the Office of the County Auditor, and the Chair and County Auditor are authorized to sign said Permit.
6. Approved the following tax applications as recommended by the County Treasurer, County Assessor and County Auditor:

<u>APPLICANT</u>	<u>DISTRICT</u>	<u>REAL ESTATE CODE</u>	<u>TAX</u>	<u>SETTLEMENT</u>
<u>Settlement Applications</u>				
David A Hunt	Emily	(2008) 211540020020009	Unchanged	Refund Overpayment of \$290.83
Bruce N & Carol Triplett	Mission	(2009) 771030020080009	Unchanged	Refund Penalty of \$40.00
Unlimited Potential Enterprises	Pequot Lakes	(2008) 291150030010009	Unchanged	Refund Overpayment of \$5.00

Approved the following tax applications as recommended by the County Assessor and County Auditor:

<u>Abatement Applications</u>				
Jon W Carter	Brainerd	(2009) 080332200B00009	Unchanged	Refund Overpayment of \$484.56
Dennis M Caughey	Daggett Brook	(2009) 570092200A00009	Unchanged	Refund Penalty of \$562.09
Brad LeDoux	Nokay Lake	(2009) 780284100B00009	Unchanged	Refund Overpayment of \$158.94
Ofelina & Roy Zillmer	Pelican	(2009) 821000020780009	Unchanged	Refund Overpayment of \$102.57

<u>Reduction in Market Value</u>				
Tina Sue Behrends	Crosby	(2009) 00M4011000000009	\$61.10	\$54.28
Emily Coghlin	Brainerd	(2009) 00M3214000000009	\$42.88	\$40.14
Lavon F Ranum	Irondale	(2009) 690301200CAA889	\$753.70	\$473.60
William Wilson	Garrison Twp	(2009) 00M6279000000009	\$34.86	\$31.96

7. Approved the following expenditure listing for June 23, 2009, with the full listing available on file in the Office of the County Auditor:

General	\$125,956.60
Reserved & Designated Funds	19,946.84
Road and Bridge	399,300.02

Social Services	10,260.03
Senior Citizens Volunteers	50.00
Score	41,458.71
Natural Resources Management	19,572.16
Building	421.39
Second Assessment District	76.68
Capital Notes	950.30
Solid Waste	16,605.61
CWC Sanitary Mgt District	23.43
Total	\$632,210.75

8. Scheduled a Public Hearing to be held July 28, 2009, at 9:30 a.m. to consider adopting new Crow Wing County Fee Schedules.

WOLD ARCHITECTS – COUNTY BOARD ROOM REMODEL RECAP

Joel Dunning and Angela Otteson from Wold Architects and Engineers thanked the Board and presented the Chair with a new gavel.

MISCELLANEOUS BUSINESS

COMMITTEE REPORTS

A report was given by Commissioner Thiede on behalf of the Mississippi Headwaters Board.

ADDITIONAL BUSINESS – None.

COUNTY SHERIFF

Moved by Commissioner Trusty seconded by Commissioner Nystrom to approve an unpaid leave of absence for an employee in the County Sheriff's Department through the end of 2010, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Nystrom to approve **Resolution #2009-60** (attached): Resolution Adopting a Plan for Public Safety Communication within Crow Wing County, all aye. Motion carried.

LAND SERVICES DIRECTOR

NATURAL RESOURCE MANAGEMENT

Moved by Commissioner Thiede seconded by Commissioner Houge to approve **Resolution #2009-61** (attached): Land Exchange between Crow Wing County and Richard M. Nolan and Mary L. Wieland-Nolan, all aye. Motion carried.

WASTE MANAGEMENT

Moved by Commissioner Trusty seconded by Commissioner Nystrom to approve the request of Roosevelt Township to have a concrete pad installed at their recycling site at a cost not to exceed \$6,000, to be paid from the SCORE Fund, all aye. Motion carried.

Moved by Commissioner Houge seconded by Commissioner Trusty to authorize an additional payment to the City of Baxter in the amount of \$22,300 for the remainder of their 2009 recycling program, in accordance with County Policy, to be paid from the SCORE Fund, all aye. Motion carried.

COUNTY ENGINEER

Moved by Commissioner Houge seconded by Commissioner Nystrom to approve **Resolution #2009-62** (attached): Resolution Requesting State Funding for Trunk Highway 371, all aye. Motion carried.

Moved by Commissioner Trusty seconded by Commissioner Thiede to enter into an agreement with Consolidated Telephone Company (CTC) to construct, install and maintain a high speed fiber optic cable to the County Highway Department; and further, the Chair and County Administrator are authorized to sign said agreement, subject to review by the County Attorney as to form and execution, all aye. Motion carried.

RECESS FOR BOARD OF EQUALIZATION

Moved by Commissioner Thiede seconded by Commissioner Trusty to recess the County Board meeting and convene as the Board of Equalization, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Houge to reconvene to the regular County Board meeting, all aye. Motion carried.

COUNTY ADMINISTRATOR

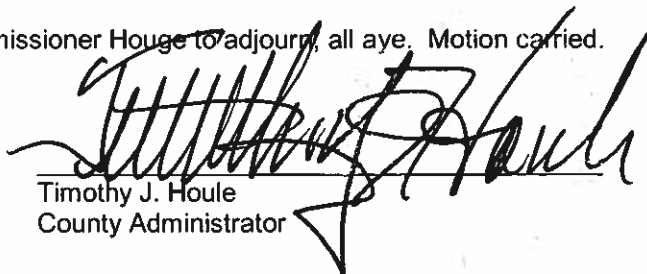
A report was given by the County Administrator on behalf of the Senior Management Team.

ADJOURNMENT

Moved by Commissioner Nystrom seconded by Commissioner Houge to adjourn, all aye. Motion carried. The Board meeting adjourned at 11:23 a.m.



Rosemary Franzen, Chair
Board of County Commissioners



Timothy J. Houle
County Administrator

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: June 23, 2009
OFFERED BY COMMISSIONERS: Thiede and Nystrom

RESOLUTION #2009-60

**RESOLUTION ADOPTING A PLAN FOR
PUBLIC SAFETY COMMUNICATION WITHIN CROW WING COUNTY**

WHEREAS, it is a basic responsibility of the County to provide for the health and welfare of its citizens, and

WHEREAS, the Federal Communications Commission (FCC) has issued regulations which require the replacement of wideband Land Mobile Radio (LMR) systems operating in the Very High Frequency (VHF) and Ultra High Frequency (UHF) spectrum by 2013, and

WHEREAS, public safety agencies throughout the country, including public safety agencies within Crow Wing County, have relied upon wideband LMR systems to provide vital public safety communications for law enforcement, fire, emergency medical services, public works, disaster response and other vital government services, and

WHEREAS, the County has worked with the North East Minnesota Regional Radio Board (NERRB), of which it is a participating member, to complete a comprehensive assessment of public safety communication within the County, and

WHEREAS, the County has been presented with a public safety communication assessment (hereinafter "Assessment") conducted by Geo Comm., which included an assessment of the alternatives that exist for the County to replace the public safety communication infrastructure within the County.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, accepts the Assessment as an accurate assessment of public safety communication needs within the County and of the alternatives that reasonably exist to replace the public safety communication infrastructure within the County.

BE IT FURTHER RESOLVED that the Crow Wing County Board of Commissioners adopts the Allied Radio Matrix for Emergency Response (ARMER) participation alternative specified in the Assessment as the most appropriate and best option for the County to replace the public safety communication infrastructure within the County.

BE IT FURTHER RESOLVED that the Crow Wing County Sheriff (hereinafter "Sheriff") is instructed to develop a participation plan (hereinafter "Plan") for the migration of and participation of all County and local governments and public safety agencies located and operating within the County to the ARMER public safety communication system.

BE IT FURTHER RESOLVED that the Plan developed by the Sheriff shall include and provide for a proposed budget for the integration of public safety agencies to the ARMER public safety communication system, for competitive bids, documents and proposals for local enhancements or improvements required for County participation and proposed contracts for equipment and services necessary to complete the integration of public safety agencies to the ARMER public safety communication system.

BE IT FURTHER RESOLVED the Assessment providing the basis of this action shall be submitted to the NERRB with a recommendation that the Assessment be incorporated into the NERRB regional public safety communication plan and that the Sheriff is authorized to submit the Assessment and the Plan to the NERRB, to the Minnesota Departments of Transportation and Public Safety and to the Statewide Radio Board, as may be necessary to gain final approval for the County participation in the ARMER public safety communication system as provided for in the Plan.

STATE OF MINNESOTA)
COUNTY OF CROW WING) ss

I, Timothy J. Houle, County Administrator, Crow Wing County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Crow Wing County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on June 23, 2009, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 1st day of July 2009.

TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – TRUSTY	X	_____
DISTRICT #2 – THIEDE	X	_____
DISTRICT #3 – NYSTROM	X	_____
DISTRICT #4 – FRANZEN	X	_____
DISTRICT #5 – HOUGE	X	_____

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: June 23, 2009
OFFERED BY COMMISSIONERS: Thiede and Houge

RESOLUTION #2009-61

**LAND EXCHANGE BETWEEN CROW WING COUNTY AND
RICHARD M. NOLAN AND MARY L. WIELAND-NOLAN**

WHEREAS, Richard M. Nolan and Mary L. Wieland-Nolan submitted a proposal, dated March 25, 2008, for a Class B Land Exchange, and

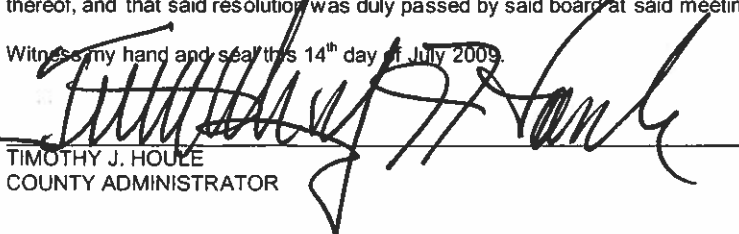
WHEREAS, the Crow Wing County Board of Commissioners passed a resolution on November 13, 2008 recommending to the Land Exchange Commission, subject to waiver of payment as set forth in Minnesota Statute 94.344, Subdivision 5, that the exchange be approved.

NOW, THEREFORE, BE IT RESOLVED the County Auditor is authorized to exchange deeds with Richard M. Nolan and Mary L. Wieland-Nolan to finalize the land exchange between Crow Wing County and Richard M. Nolan and Mary L. Wieland-Nolan, providing all taxes are paid.

STATE OF MINNESOTA)
COUNTY OF CROW WING) ss

I, Timothy J. Houle, County Administrator, Crow Wing County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Crow Wing County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on June 23, 2009, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 14th day of July 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 - TRUSTY	X	_____
DISTRICT #2 - THIEDE	X	_____
DISTRICT #3 - NYSTROM	X	_____
DISTRICT #4 - FRANZEN	X	_____
DISTRICT #5 - HOUGE	X	_____

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: June 23, 2009
OFFERED BY COMMISSIONERS: Houge and Nystrom

RESOLUTION #2009-62

RESOLUTION REQUESTING STATE FUNDING FOR TRUNK HIGHWAY 371

WHEREAS, Trunk Highway 371 is a vital inter regional corridor in central Minnesota and provides an economic link between the Twin Cities Region and the Central Lakes Region of Minnesota, and

WHEREAS, the Federal Government and the State of Minnesota have recognized the significance of the Trunk Highway 371 corridor in the past and, in doing so, have made considerable investments in order to improve the corridor south of Nisswa to a 4-lane Expressway Design, and

WHEREAS, Trunk Highway 371, between the Cities of Nisswa and Pine River, has severe safety and traffic capacity constraints, and

WHEREAS, Crow Wing County along with Cass County, the Cities of Nisswa, Pequot Lakes, Jenkins, and Pine River have joined together to advocate a project to improve 16 miles of Trunk Highway 371 to a 4-lane expressway design as well as upgrade and enhance local street and utility infrastructure along the highway corridor, and

WHEREAS, the goals of project include: Improve Traffic Safety, Reduce Travel Time, Improve Multi-Modal and Recreational Mobility and Safety, Enhance Regional Economic Opportunities, and Preserve Unique Environmental Resources, and

WHEREAS, the Minnesota Department of Transportation has completed the Environmental Impact Statement for the project and has developed the project with considerable public and community involvement, and

WHEREAS, the Minnesota Department of Transportation has programmed the highway project in two phases, with Phase 1 from Nisswa to Jenkins programmed in 2018, and Phase 2 from Jenkins to Pine River beyond 2018 with a total cost exceeding \$126,000,000, and

WHEREAS, the project partners are in agreement that the corridor improvements need to be completed prior to 2018 and that the project is ready to move forward now, to the great benefit of the Central Lakes Region and the entire State of Minnesota, and

WHEREAS, Crow Wing County is expected to receive \$12,440,000 in federal High Priority Project funding for design and right of way acquisition for the Phase 1 highway reconstruction and local infrastructure improvements and enhancements.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, in order to keep the project progressing, requests \$11,100,000 in State Bonds to fully fund design and right of way acquisition for Phase 1 and local infrastructure improvements and enhancements.

STATE OF MINNESOTA)
 COUNTY OF CROW WING) ^{ss}

I, Timothy J. Houle, County Administrator, Crow Wing County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Crow Wing County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on June 23, 2009, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 14th day of July 2009.

TIMOTHY J. HOULE
 COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – TRUSTY	X	_____
DISTRICT #2 – THIEDE	X	_____
DISTRICT #3 – NYSTROM	X	_____
DISTRICT #4 – FRANZEN	X	_____
DISTRICT #5 – HOUGE	X	_____