

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

Historic Courthouse
Brainerd, Minnesota

July 28, 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 2 Paul Thiede
 District 3 Rachel Reabe Nystrom
 District 4 Rosemary Franzen
 District 5 Doug Houge

Absent: District 1 Philip Trusty

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

OPEN FORUM – Jenny Holmes, Community Relations Coordinator for the National Joint Powers Alliance, introduced herself and explained their services.

APPROVAL OF MINUTES AND AGENDA

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the minutes of the July 14, 2009 regular County Board meeting, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Nystrom to approve the agenda of the July 28, 2009 meeting, with two additions, all aye. Motion carried.

CONSENT AGENDA

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

1. Amended the minutes of June 9, 2009 regular County Board meeting (Page 4 – Planning and Zoning Item No. 5) as follows to reflect the action in the form of a resolution for publishing purposes:

~~Amended the Official Zoning Ordinance Article 10.8 to allow a Conditional Use Permit with the Commercial 1 zoning district for Mobile Home Parks and Mobile Home Developments in the Land Use Classification Table~~ Approved Resolution #2009-59a (attached): Amendment to Crow Wing County Zoning Ordinance Article 10.8

2. Accepted a donation of \$150 from Brenny Funeral Chapel for Triad Senior Services Education.
3. Approved the Minnesota Lawful Gambling Application of the Minnesota Sheriffs' Association for an Exempt Permit to be held on the date of September 18, 2009, at Ruttger's Bay Lake Lodge, Bay Lake Township, subject to all State Laws and upon approval of said date, the applicant submitting a copy of reports required by the State.

4. Approved the Minnesota Trail Assistance Program Cross-Country Ski FY2010 Traditional Grant Agreements for the Brainerd Nordic Cross Country Ski Club and the Larson Lake Memorial Forest Trail, and the Chair and County Auditor are authorized to sign said agreements.
5. Approved the application of Black Dog Bar & Grill, LLP, Black Dog Bar & Grill, for an On Sale and Sunday Liquor License, as approved by the County Attorney, County Sheriff and Town of Perry Lake, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said License.
6. Approved the Grant-in-Aid Trail Permit between Crow Wing County and the State of Minnesota, Department of Natural Resources, across property as described as on file in the Office of the County Auditor, for the Snowbird's Snowmobile Club and the Chair and County Auditor are authorized to sign said Permit.
7. Approved the following tax applications as recommended by the County Assessor and County Auditor:

<u>APPLICANT</u>	<u>DISTRICT</u>	<u>REAL ESTATE CODE</u>	<u>TAX</u>	<u>SETTLEMENT</u>
<u>Abatement Applications</u>				
Affinity Federal Credit Union	Pequot Lakes	(2009) 291360010100009	Unchanged	Refund Overpayment of \$ 21.01
BAC Tax Corporation	Fairfield	(2009) 601010000050009	Unchanged	Refund Overpayment of \$313.90
BAC Tax Corporation	First Assmnt	(2009) 970223100H00009	Unchanged	Refund Overpayment of \$ 88.37
First American Real Estate Tax Service	Brainerd	(2009) 09128017003Z009	Unchanged	Refund Overpayment of \$205.28
First American Real Estate Tax Service	Brainerd	(2009) 091360010200009	Unchanged	Refund Overpayment of \$459.18
First American Real Estate Tax Service	Long Lake	(2009) 750322100000009	Unchanged	Refund Overpayment of \$ 66.50
Jeffrey & Lorrel Lachelt	Baxter	(2009) 031190010070009	Unchanged	Refund Penalty of \$681.34
Land America	Breezy Point	(2009) 101700010070009	Unchanged	Refund Overpayment of \$85.51
Jan & Doris Mezzenga	Crosslake	(2009) 120313200F00009	Unchanged	Refund Overpayment of \$134.58
Wallace Nelson	Crosby	(2009) 11101006009B009	Unchanged	Refund Overpayment of \$ 35.48
Wells Fargo Real Estate Tax Service LLC	Brainerd	(2009) 091640030040009	Unchanged	Refund Overpayment of \$143.35
<u>Reduction in Market Value</u>				
Dan & Diane Crawford	Fifty Lakes	(2009) 00M594900000009	\$ 7.70	Cancel
HeyRam Inc	Baxter	(2008) 010082100C00889	\$18,563.36	\$16,909.38
HeyRam Inc	Baxter	(2009) 010082100C00889	\$18,749.42	\$16,741.66
Voice Stream Mpls	Baxter	(2008) 01P082400BEC009	\$ 344.06	Cancel
Voice Stream Mpls	Baxter	(2009) 01P082400BEC009	\$ 340.70	Cancel

Homestead Classifications

Scott & Lindsey Engholm	St. Mathias	(2009) 900262200200009	\$ 1,337.48	\$ 1,122.48
Bruce & Kara Kehring	Breezy Point	(2009) 101420000770009	\$ 2,326.50	\$ 1,738.82
Bruce & Kara Kehring	Breezy Point	(2009) 101420000760009	\$ 40.28	\$ 32.44
Bruce & Kara Kehring	Breezy Point	(2009) 101420000780009	\$ 40.28	\$ 32.44

8. Approved the following expenditure listing for July 28, 2009, with the full listing available on file in the Office of the County Auditor:

General	\$190,625.85
Reserved & Designated Funds	34,360.89
Road and Bridge	498,532.42
Social Services	51,732.17
Senior Citizens Volunteers	3,551.67
Score	15,339.95
Grants Land	135.86
Forfeited Tax Sale	8,672.57
Building	548.79
Capital Notes	135.56
Solid Waste	7,701.39
Community Corrections	1,512.50
CWC Sanitary Mgt District	73.98
Total	\$812,923.60

9. Authorized setting the sale price for the following tax forfeited lands and authorized the sale to the City of Breezy Point at the designated sale prices:

1. Lot 111, Fifteenth Addition to Breezy Point Estates (101100001110009) – sale price: \$5,200
2. Lot 90, Fourteenth Addition to Breezy Point Estates (101150000900009) – sale price: \$2,700
3. Lot 92, Fourteenth Addition to Breezy Point Estates (101150000920009) – sale price: \$2,200
4. Lot 171, Fourteenth Addition to Breezy Point Estates (101150001710009) – sale price: \$2,100

10. Authorized setting the sale price of the following tax forfeited land; and further, the appraisal fee of \$350 each shall be added to the additional upfront costs at the time of purchase; and further, authorized the sale of said tax forfeited land, at the designated prices, to the adjacent owners as stated:

1. Part of SE1/4 SE1/4, Sec. 11-44-28 (660114400B00009), Tract A to Gregory and Kathleen Preusse at sale price: \$0
2. Part of SE1/4 SE1/4, Sec. 11-44-28 (660114400B00009), Tract B to Walter and Tammy Johnson at sale price: \$400
3. Part of SE1/4 SE1/4, Sec. 11-44-28 (660114400B00009), Tract C to Harold and Dixie Nelson at sale price: \$3,200
4. Part of SE1/4 SE1/4, Sec. 11-44-28 (660114400B00009), Tract D to Carol Steiner at sale price: \$11,200

11. Approved **Resolution #2009-67** (attached): Resolution Authorizing Timber Auction.

12. Approved **Resolution #2009-68** (attached): Cancellation of Tax Forfeited Land Contracts.

MISCELLANEOUS BUSINESS

ADDITIONAL BUSINESS

Moved by Commissioner Nystrom seconded by Commissioner Thiede to enter into a Ground Lease Agreement by and between the Crow Wing County Fair Association, the County of Crow Wing and the Brainerd Lakes Curling Association for the subleasing by the Crow Wing County Fair Association to the Brainerd Lakes Curling Association that land necessary for the construction and operation of a curling facility, with approval of said agreement contingent upon review by the County Administrator and County Attorney; and further, the Chair and County Administrator are authorized to sign the finalized agreement, subject to review by the County Attorney as to form and execution, all aye. Motion carried.

COMMUNITY SERVICES DIRECTOR

Moved by Commissioner Nystrom seconded by Commissioner Houge to authorize the Community Services Director to advertise and contract for a State-Wide Health Improvement Program (SHIP) Coordinator to work with community partners to plan for and implement strategies to reduce obesity and tobacco use, to be paid from grant funds, all aye. Motion carried.

HUMAN RESOURCE DIRECTOR

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the following hiring request, all aye. Motion carried.

Treasurer's Office – Administrative/Technical Specialist replacement

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the following hiring request, all aye. Motion carried.

Land Services, Assessor Division – County Assessor

PUBLIC HEARING – NEW CROW WING COUNTY FEE SCHEDULES

Moved by Commissioner Thiede seconded by Commissioner Houge to open the Public Hearing at 9:37 a.m., all aye. Motion carried.

The County Administrator read a letter received from the Crow Wing Soil and Water Conservation District requesting the words "includes dirtmoving/fill in wetland area with SWCD inspection" be removed from the Planning and Zoning Fee Schedule. There was no other public comment.

Moved by Commissioner Thiede seconded by Commissioner Houge to close the Public Hearing at 9:45 a.m., all aye. Motion carried.

Moved by Commissioner Theide seconded by Commissioner Houge to approve **Resolution #2009-69** (attached): Adoption of New Crow Wing County Fee Schedules, all aye. Motion carried.

COUNTY AUDITOR

Motion by Commissioner Thiede seconded by Commissioner Houge to amend the Reserved and Unreserved Designated Fund Balances as of December 31, 2008, as presented by the County Auditor's Office, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Houge to schedule a Public Hearing to be held August 25, 2009 at 9:30 a.m. to consider a proposed service assessment of \$135 per riparian property owner for a term of five years, commencing in Fiscal Year 2010 for the Round Lake Improvement District, all aye. Motion carried.

Moved by Commissioner Nystrom seconded by Commissioner Franzen to approve the establishment of the Serpent Lake Improvement District. Motion was withdrawn.

Moved by Commissioner Nystrom seconded by Commissioner Thiede to table the establishment of the Serpent Lake Improvement District to the next meeting, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Nystrom to approve an advance settlement payment to the City of Nisswa in the amount of \$19,669.36, all aye. Motion carried.

COUNTY ADMINISTRATOR

Moved by Commissioner Thiede seconded by Commissioner Nystrom to table the Central Minnesota Community Corrections Joint Power Agreement to the next meeting, all aye. Motion carried.

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

COMMITTEE REPORTS

Reports were given by Commissioner Thiede on behalf of the South Country Health Alliance Joint Powers Board, the Mississippi Headwaters Board, and the Northeast Minnesota Regional Radio Board.

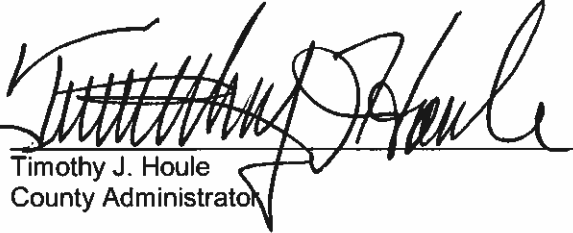
A report was given by Commissioner Nystrom on behalf of the Kitchigami Library Board.

ADJOURNMENT

Moved by Commissioner Nystrom seconded by Commissioner Houge to adjourn, all aye. Motion carried. The Board meeting adjourned at 11:00 a.m.



Rosemary Franzen, Chair
Board of County Commissioners



Timothy J. Houle
County Administrator

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: July 28, 2009

RESOLUTION #2009-67

OFFERED BY COMMISSIONERS: Nystrom and Houge

RESOLUTION AUTHORIZING TIMBER AUCTION

WHEREAS, it is deemed to the best interests of the County of Crow Wing, State of Minnesota, that certain timber on said lands be sold for cash, subject to timber scale, in the manner provided by Minnesota Statute 282.04.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, authorizes and directs the County Auditor to sell to the highest bidder for cash, at not less than the value determined by the Board of Commissioners, and reserving the right to reject any or all bids, timber located on each of the tracts of land described in the list on file in the Office of the County Auditor.

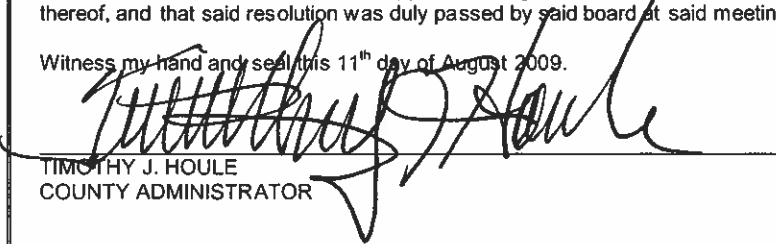
BE IT FURTHER RESOLVED additional conditions of the sale are governed by the County Board Resolution adopted January 11, 2005.

BE IT FURTHER RESOLVED notice of a regular sale of such timber be given by publication in the manner provided by Minnesota Statute 282.04, that the County Auditor of Crow Wing County offer such timber for sale in the order in which they appear in said notice of sale and such sale shall commence on September 28, 2009, at 10 a.m. in Meeting Room 1, Lower Level, Land Services Building, Brainerd, Minnesota.

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 July 28, 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 11th day of August 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – TRUSTY	_____	_____
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: July 28, 2009

RESOLUTION #2009-68

OFFERED BY COMMISSIONERS: Nystrom and Houge

CANCELLATION OF TAX FORFEITED LAND CONTRACTS

WHEREAS, Minnesota Statute 282.01 provides for the sale of tax forfeited lands which are classified as non-conservation, and

WHEREAS, Minnesota Statute 282.01, Subd. 4, provides a method for the sale of tax forfeited lands on an installment payment basis pursuant to an Auditor's Certificate of Purchase of Tax Forfeited Lands, and

WHEREAS, Minnesota Statute 282.01, Subd. 5, provides the criteria for when a purchaser of tax forfeited lands pursuant to Minnesota Statute 282.01, Subd. 4, is in default, and the method for the cancellation for such a contract, and

WHEREAS, certain tax forfeited land contracts are and have been in default for failure by the purchaser to make payments in accordance with the provisions of Minnesota Statute 282.01, Subd. 5.

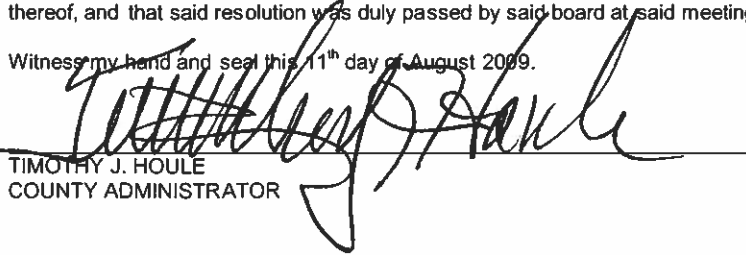
NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, declares that the following Auditor's Certificates of Purchase of Tax Forfeited Lands be, and hereby are, cancelled:

<u>Purchaser</u>	<u>Certificate No.</u>
Mary Ann Milton, as trustee of the Mary Ann Milton Trust	1859
Mary Ann Milton, as trustee of the Mary Ann Milton Trust	1948

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 July 28, 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 11th day of August 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 – TRUSTY	_____	_____
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: July 28, 2009

RESOLUTION #2009-69

OFFERED BY COMMISSIONERS: Thiede and Houge

ADOPTION OF NEW CROW WING COUNTY FEE SCHEDULES

WHEREAS, in accordance with Minnesota Statute 373.41, a Public Hearing was held at 9:37 a.m. on Tuesday, July 28, 2009, to consider additions and changes to all Crow Wing County Department Fee Schedules and Policies for 2009.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, reaffirms all Crow Wing County Department Fee Schedules and Policies and adopts additions and changes to the 2009 Fee Schedules and Policies, as on file in the Office of the County Auditor, effective July 28, 2009.

BE IT RESOLVED that the request made by the Crow Wing Soil and Water Conservation District to remove the words "includes dirtmoving/fill in wetland area with SWCD inspection" from the Planning and Zoning Fee Schedule be referred to the Land Services Department with a recommendation to be brought to the next County Board meeting.

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 July 28, 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 11th day of August 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

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