

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

Historic Courthouse
Brainerd, Minnesota

August 25, 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 in remembrance of former County Commissioner Gilbert Dewes.

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

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

OPEN FORUM – None.

APPROVAL OF MINUTES AND AGENDA

Moved by Commissioner Thiede seconded by Commissioner Trusty to approve the minutes of the August 11, 2009 regular County Board meeting, with one correction, all aye. Motion passed.

Moved by Commissioner Hougé seconded by Commissioner Nystrom to approve the minutes of the August 18, 2009 Committee of the Whole meeting, with one correction, all aye. Motion passed.

Moved by Commissioner Thiede seconded by Commissioner Hougé to approve the agenda of the August 25, 2009 meeting, all aye. Motion passed.

CONSENT AGENDA

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

1. Approved the following expenditure listing for August 25, 2009, with the full listing available on file in the Office of the County Auditor:

General	\$122,203.32
Reserved & Designated Funds	2,582.90
Road and Bridge	239,098.31
Social Services	49,578.25
Score	9,450.39
Forfeited Tax Sale	2,080.60
Building	14,113.91
Second Assessment District	200.00
Capital Notes	79,138.33
Solid Waste	18,860.40
CWC Sanitary Mgt District	1,585.00
Total	\$538,891.41

2. Approved the following tax applications as recommended by the County Treasurer and County Auditor:

<u>APPLICANT</u>	<u>DISTRICT</u>	<u>REAL ESTATE CODE</u>	<u>TAX</u>	<u>SETTLEMENT</u>
<u>Settlement Applications</u>				
Peterson Living Trust	Mission	(03-09) 770274101GA0009	\$ 293.91	\$185.06
Loisa Caughlan	Pequot Lakes	(2008) 00M480600000009	\$ 522.05	Refund

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

<u>Abatement Applications</u>				
Daryl & Sylvia Ahlgren	Ideal	(2009) 6890000000C0009	\$ 120.10	Refund Overpayment of \$ 60.05
First American RE Tax Service	Breezy Point	(2009) 101550010020009	\$ 392.86	Refund Overpayment of \$196.43
First American Title	Brainerd	(2009) 09201001005Z009	\$ 807.78	Refund Overpayment of \$403.89
Dale & Catherine Fyle	Breezy Point	(2009) 101370001050009	\$ 116.46	Refund Overpayment of \$ 58.23
Roberta & Thomas Jay	Brainerd	(2009) 09203001004B009	\$ 259.04	Refund Overpayment of \$ 129.52

<u>Reduction in Value</u>				
Debbie Gibbs	Lake Edward	(2009) 00M458600000009	\$ 39.44	\$ 23.14
Minnesota Truss	Pequot Lakes	(2009) 29P151100000009	\$ 12.02	Cancel

3. To authorize setting the sale price of tax forfeited land described as Outlot B, Branches (2913600090B0009) at the appraised value of \$4,500; and further, the sale to the City of Pequot Lakes is authorized.
4. To accept the quote received from First State Tire for 2009 Waste Tire Abatement services for a total unit price of \$75 per ton for passenger/truck tires and \$155 per ton for oversize tires.
5. To approve submitting the 2010-2011 Child Care Assistance Program Plan.
6. To approve the Fraud Prevention Investigation Contract with the Minnesota Department of Human Services and authorize the Community Services Director to sign said contract.
7. To enter into an Off Highway Vehicle Enforcement Grant Contract between the State of Minnesota, acting through its Department of Natural Resources, Commissioner of Natural Resources, and Crow Wing County Sheriff's Office for a grant in the amount of \$22,180 for expenses related to labor and equipment dedicated to off highway vehicle enforcement from August 15, 2009 through June 30, 2011, and the Chair and County Administrator are authorized to sign said agreement.

8. To enter into a Grant Agreement between the State of Minnesota, Department of Public Safety, Division of Homeland Security and Emergency Management, and Crow Wing County for an Emergency Management Performance Grant (EMPG) in the amount of \$38,927 for the period from January 1, 2009, through December 31, 2009, and the Chair and County Administrator are authorized to sign said agreement.

MISCELLANEOUS BUSINESS

The Chair read the summary of the closed meeting of August 11, 2009, regarding the performance evaluation of County Administrator Timothy Houle giving a satisfactory performance appraisal upon the conclusion of his first year of service.

ADDITIONAL BUSINESS – None.

INTERIM COUNTY ENGINEER

Interim County Engineer Rob Hall gave a construction and cost update for S.P. 18-610-05, CSAH 10 Reconstruction.

U.S. CENSUS, REQUEST FOR COMPLETE COUNT COMMITTEE – CYNTHIA MADIGAN

Moved by Commissioner Nystrom seconded by Commissioner Thiede to enter into a Partnership Agreement with the U.S. Census Bureau to assist with the 2010 Census, and the County Administrator is authorized to sign said agreement; and further, the Board would like an update placed on the October Committee of the Whole Agenda, all aye. Motion passed.

PUBLIC HEARING – ROUND LAKE IMPROVEMENT DISTRICT SERVICE ASSESSMENT

Moved by Commissioner Thiede seconded by Commissioner Houge to open the Public Hearing at 9:41 a.m., all aye. Motion passed.

Public comment was heard from the following citizens in support of the LID: Chuck Jorgensen, Mike O'Brien, Lonny Thomas, Alan Cibuzar and Kurt Martin.

Letters of support were received from Cyril Durrenberger and Richard and Marilyn Sobiech.

A letter of opposition was received from Wendy DeGeest.

Moved by Commissioner Thiede seconded by Commissioner Trusty to close the Public Hearing at 10:08 a.m., all aye. Motion passed.

Moved by Commissioner Theide seconded by Commissioner Trusty to approve **Resolution #2009-73** (attached): Round Lake Improvement District Service Assessment, all aye, except Commissioner Houge nay. Motion passed.

HUMAN RESOURCE DIRECTOR

CLOSED SESSION – LABOR NEGOTIATIONS

Moved by Commissioner Thiede seconded by Commissioner Trusty to recess the regular session and convene to a closed session at 10:38 a.m. to discuss labor negotiations, all aye. Motion passed.

Present: Philip Trusty, Paul Thiede, Rachel Reabe Nystrom, Rosemary Franzen, Doug Houge, Timothy Houle, Deborah Erickson, Tamra Laska, Therese Norwood, Terrie Walseth, Jennifer LeDoux and Debra Palmer-Backdahl.

Moved by Commissioner Thiede seconded by Commissioner Houge to recess the closed session and reconvene to the regular session at 10:54 a.m., all aye. Motion passed.

Moved by Commissioner Thiede seconded by Commissioner Nystrom to accept the Agreement between Crow Wing County and American Federation of State, County and Municipal Employees, AFL-CIO Local Union #689A, and the Chair, Human Resource Director and County Administrator are authorized to sign said Agreement, effective January 1, 2009, through December 31, 2011; and further, the County Auditor is authorized to make payment of appropriate salary adjustments, retroactive to January 1, 2009, all aye. Motion passed.

Moved by Commissioner Nystrom seconded by Commissioner Houge to approve the following hiring request: Sheriff's Office, Jail Division – Correctional Officer: Grade 9, all aye. Motion passed.

The Board set the date to interview the finalists for the County Engineer position for September 8, 2009 at 12:30 p.m.

COUNTY ADMINISTRATOR

Moved by Commissioner Thiede seconded by Commissioner Trusty to certify that the project proposed by New Pathways, Inc. being located within Crow Wing County has the approval to receive funding from the State of Minnesota Emergency Shelter Grants Program, all aye. Motion passed.

COMMITTEE REPORTS

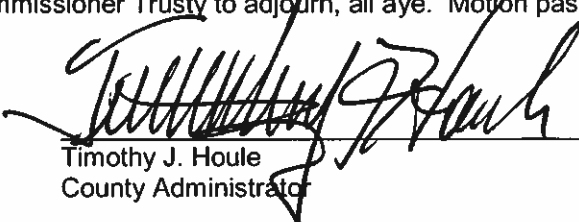
Chair Franzen reported that Julie Guth from District 5 resigned from the Human Rights Commission.

ADJOURNMENT

Moved by Commissioner Nystrom seconded by Commissioner Trusty to adjourn, all aye. Motion passed. The Board meeting adjourned at 11:19 a.m.



Rosemary Franzen, Chair
Board of County Commissioners



Timothy J. Houle
County Administrator

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: August 25, 2009
OFFERED BY COMMISSIONERS: Thiede and Trusty

RESOLUTION #2009-73

ROUND LAKE IMPROVEMENT DISTRICT SERVICE ASSESSMENT

WHEREAS, the Board of Commissioners of Crow Wing County, Minnesota, is acting as the legal entity for the Round Lake Improvement District, and

WHEREAS, the Round Lake Improvement District's property owners, at their 2009 annual meeting, voted to recommend an assessment of \$135 per property for a term of five years, commencing in Fiscal Year 2010. The proceeds of said assessment shall be utilized for lake management, aquatic vegetation control, water quality tests and analysis, and related services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Crow Wing County, Minnesota, that:

1. Such proposed service assessment is hereby accepted and shall constitute the service assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the improvement district in the amount of the assessment levied against it.
2. That the total assessment shall be \$135 annually per each property owner with lands immediately adjacent to Round Lake. Said assessment will have a term of five years, commencing in Fiscal Year 2010.
3. The County Auditor shall extend this assessment on the property tax lists of the County, and such assessment shall be collected and paid over in the same manner as other County taxes.

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 August 25, 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 8th day of September 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

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