

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

Historic Courthouse  
Brainerd, Minnesota

October 27, 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 October 13, 2009 regular County Board meeting. Motion Passed 5 to 0.

Moved by Commissioner Trusty seconded by Commissioner Nystrom to approve the agenda of the October 27, 2009 regular County Board meeting. Motion Passed 5 to 0.

**CONSENT AGENDA**

Moved by Commissioner Trusty seconded by Commissioner Nystrom to move item 5.9 to the Land Services agenda and approve the following consent agenda items. Motion Passed 5 to 0.

1. Approved the following expenditure listing for October 27, 2009, with the full listing available on file in the Office of the County Auditor:

General	\$275,925.63
Reserved & Designated Funds	19,142.94
Road and Bridge	515,400.95
Social Services	17,772.36
Score	4,859.21
Grants Land	208.50
Forfeited Tax Sale	658.70
Environmental Trust	57,229.02
Solid Waste	7,043.89
Community Corrections	3,581.37
CWC Sanitary Mgt District	3,275.20
Total	\$905,097.77

2. Approved the Premises Permit Application of the Garrison Volunteer Fire Department Relief Association for a Class B Premises Permit to be held at Schooner's (previously Headquarter's Lodge), Garrison Township, subject to all State Laws and upon approval of said Application, the applicant submitting a copy of reports required by the State.
3. Approved the 2009 Tobacco License applications of MNR, LLC for both Marcee's and Cheeks Saloon, Mission Township, subject to any delinquent taxes being paid.
4. Scheduled a Public Hearing to be held November 24, 2009, at 9:05 a.m. to consider an Off Sale Liquor License for Brenda Ikola, Sportsman's, Mission Township.
5. Approved the following tax application 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 Application</u>				
William & Sharon Wortham	Ideal	(2009) 682010020030009	Unchanged	Refund Overpayment of \$845.69

6. To approve **Resolution #2009-78** (attached): Resolution Granting Authority to the County Auditor to Designate Depositories and Conduct Banking Transactions.
7. Approved the submitted Board of Water and Soil Resources Natural Resources Block Grant Final Program Allocations and Contributions form.
8. Approved the exchange of deeds regarding the Scott M. and Kathleen Stenberg/Crow Wing County Land Exchange.

**COMMUNITY SERVICES DIRECTOR**

Moved by Commissioner Trusty seconded by Commissioner Nystrom to hire Ron Michaels Consulting, Inc. to provide consultant services to negotiate the cost and expedite the implementation of Compass Suite Software, with consulting fees for Phase 1 not to exceed \$21,500 and travel and lodging costs not to exceed \$2,500; and further, to authorize the Community Services Director to sign the engagement form and contract. Motion Passed 5 to 0.

**LAND SERVICES DIRECTOR**

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the following Planning and Zoning consent agenda items. Motion Passed 5 to 0.

1. Approved the petition of Pine Acres Roger Lake LLP for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:  
  
 Part of NW1/4 of SE1/4, Sec 19, Ross Lake Township, RE: 890194200000009  
 Rezone from Waterfront Commercial to Shoreland Residential 1 involving approximately 2.9 acres.
2. Approved the petition of Jeanette Hohman for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

NE'LY 100 FT OF SW'LY 350 FT of Blocks L & M, Hole-In-The-Day-Woods, Sec 01, 1st Assessment, RE: 9912600L000Y009  
Rezone from Rural Residential 2.5 to Shoreland Residential 1 involving approximately 4.01 acres.

3. Approved the petition of Steven and Debra West for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

PART OF NE1/4 of NW1/4, Sec 26, 1st Assessment, RE: 980262100C00009  
Rezone from Agriculture to Rural Residential 2.5 involving approximately 3.52 acres.

4. Approved the petition of Mark and Thomas Schmitz for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

Part of Gov. Lot 6, Sec 34, Roosevelt Township, RE: 880344306000009  
Rezone from Agriculture & Green Space to Shoreland Residential 2 involving approximately 2.5 acres.

5. Approved the petition of Wild and Free Wildlife Program for the following reclassification, based on the findings of fact on file in the Planning and Zoning office:

E1/2 of SE1/4 of SE1/4, Sec 11, Garrison Township, RE: 6600114400C00009  
Rezone from Green Space to Agriculture involving approximately 17 acres.

6. Approved the petition of Ward and Ann Johnson for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

Part of Gov. Lot 2, Sec 26, Ideal Township, RE: 680262402ACB009  
Rezone from Agriculture to Shoreland Residential 1 involving approximately 3.3 acres.

7. Approved the petition of Jim Knudsen for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

W 530 FT of E 630 FT of NW1/4 of SE1/4 & Gov. Lot 2, Sec 23, 1st Assessment, RE:  
970234200BAA009  
Rezone from Agriculture to Shoreland Residential 2 for two riparian lots and Rural Residential 2.5 for one non-riparian lot involving approximately 17.8 acres.

John Overland, Wetland Specialist from the Minnesota Board of Water and Soil Resources, addressed the Board on the Wetland Conservation Act Administration Audit.

Moved by Commissioner Houge seconded by Commissioner Thiede to approve **Resolution #2009-79** (attached): Limit Recreational Motorized Use During the State Firearms Deer Hunting Season. Motion Passed 5 to 0.

### **HUMAN RESOURCE DIRECTOR**

Moved by Commissioner Nystrom seconded by Commissioner Houge to approve the proposed renewal for long term disability and term life insurance benefits with Prudential Insurance through Crow Wing County agent of record, David Johnson. Motion Passed 5 to 0.

Moved by Commissioner Nystrom seconded by Commissioner Houge to approve the hiring request for the Sheriff's Office, Jail Division, for a Technical/Administrative Associate at pay grade 1. Motion Passed 5 to 0.

Human Resource Director Tamra Laska presented the Compensation Plan Administrative Guidelines.

Moved by Commissioner Nystrom seconded by Commissioner Thiede to approve the evaluations for the positions of Social Worker I, pay grade 11; Social Worker II, pay grade 13; Land Services Supervisor (Natural Resource Management and Planning & Zoning) pay grade 13; Water Protection Specialist, pay grade 10; and SSTS Field Assessment Technician, pay grade 6. Motion Passed 5 to 0.

#### **COUNTY ADMINISTRATOR**

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

#### **COMMITTEE REPORTS**

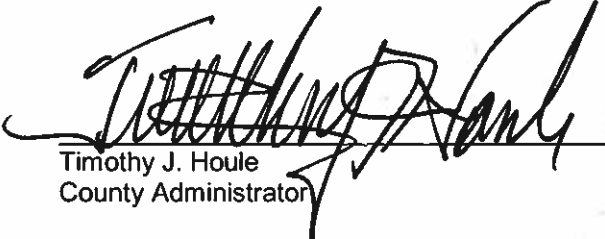
Reports were given by Commissioner Thiede on behalf of the Mississippi Headwaters Board, Northeast Minnesota Regional Radio Board, and Paul Bunyan Scenic Byway Association.

A report was given by Commissioner Trusty on behalf of the Countywide Transit Committee.

#### **ADJOURNMENT**

Moved by Commissioner Nystrom seconded by Commissioner Trusty to adjourn. Motion Passed 5 to 0. The Board meeting adjourned at 10:36 a.m.

  
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Rosemary Franzen, Chair  
Board of County Commissioners

  
\_\_\_\_\_  
Timothy J. Houle  
County Administrator

**BOARD OF COUNTY COMMISSIONERS  
Crow Wing County, Minnesota**

**DATE: October 27, 2009**  
**OFFERED BY COMMISSIONERS: Trusty and Nystrom**

**RESOLUTION #2009-78**

**RESOLUTION GRANTING AUTHORITY TO THE COUNTY AUDITOR TO  
DESIGNATE DEPOSITORIES AND CONDUCT BANKING TRANSACTIONS**

BE IT RESOLVED, pursuant to Minnesota Statute 118A.02, the County Auditor is hereby authorized to designate depositories for the funds of the County and any officer or other person named below is hereby authorized to open or cause to be opened an account or accounts on behalf of and in the name of the County with the Bank according to the Bank's "Terms and Conditions of Deposit Accounts" and any modifications or amendments thereto, and to execute and enter into any other agreement with the Bank for the deposit, withdrawal or transfer of any funds from or to said account(s).

BE IT FURTHER RESOLVED that any officer or person hereinafter named is hereby authorized for and on behalf of the County to endorse in the name of the County and to cash, negotiate or deposit in such account(s) any money, checks, drafts, orders, notes and any other instruments for the payment of money held by or payable to the County.

BE IT FURTHER RESOLVED that any checks, drafts, orders or any other withdrawal order including any withdrawal and/or transfer of funds requested to be made by electronic or similar means and any and all other directions and instructions of any character with respect to funds of the County with the Bank may be signed or initiated with a signature by any one of the following or by any person authorized by the following:

Deborah A. Erickson Deborah A. Erickson, County Auditor

Michael J. Carlson Michael J. Carlson, Accounting and Finance Manager

Marc R. Mull Marc R. Mull, Senior Accountant

And the Bank is hereby fully authorized to pay and charge to any such account(s) of the County any item, so signed or initiated, including those payable to the individual order of the person signing them or to the Bank or to any other person or corporation, which are applied in payment of any indebtedness owing to the Bank from the person or persons who signed same.

BE IT FURTHER RESOLVED that the Board of Commissioners of Crow Wing County, Minnesota, has full power and lawful authority to adopt the foregoing resolutions and to confer the powers therein granted to the persons named.

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 October 27, 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 10<sup>th</sup> day of November 2009.

Timothy J. Houle  
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: October 27, 2009

RESOLUTION #2009-79

OFFERED BY COMMISSIONERS: Houge and Thiede

**LIMIT RECREATIONAL MOTORIZED USE DURING THE STATE FIREARMS DEER HUNTING SEASON**

WHEREAS, in conjunction with the State of Minnesota, Department of Natural Resources, Crow Wing County will prohibit recreational riding of off-highway vehicles (OHV) on forest roads and access routes passing through Crow Wing County administered public lands during the State firearms deer hunting season in November of 2009 and the following years thereafter, and

WHEREAS, the recreational riders will be protected from unsafe riding conditions, and

WHEREAS, to minimize conflicts between deer hunters and recreational riders who may interrupt the hunter, and

WHEREAS, to provide consistent management policies across jurisdictional boundaries which will serve to minimize confusion to the public, and

WHEREAS, this restriction does not preclude the deer hunter, with valid deer hunting license, to operate an off-highway vehicle (OHV) in accordance with existing State law.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, hereby prohibits recreational riding of off-highway vehicles (OHV) on forest roads and access routes passing through Crow Wing County administered public lands during the State firearms deer hunting season in November of 2009 and the following years thereafter.

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 October 27, 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 10<sup>th</sup> day of November 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	_____