

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

Historic Courthouse
Brainerd, Minnesota

November 24, 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 4 Rosemary Franzen
 District 5 Doug Houge

Absent: District 3 Rachel Reabe Nystrom

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

OPEN FORUM

Rod Osterloh, Joel Cairy and Jeff Schoenwetter from The Lodge at Brainerd Lakes addressed the Board regarding tax abatement. The County Auditor, County Assessor and County Attorney will work together to come up with options and bring back to the next meeting.

APPROVAL OF MINUTES AND AGENDA

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the minutes of the November 10, 2009 regular County Board meeting. Motion Passed 4 to 0.

Moved by Commissioner Trusty seconded by Commissioner Thiede to approve the agenda of the November 24, 2009 regular County Board meeting. Motion Passed 4 to 0.

CONSENT AGENDA

Moved by Commissioner Trusty seconded by Commissioner Houge to approve the following consent agenda items. Motion Passed 4 to 0.

1. Approved the following expenditure listing for November 24, 2009, with the full listing available on file in the Office of the County Auditor:

General	\$115,988.92
Reserved & Designated Funds	22,644.39
Road and Bridge	653,506.08
Social Services	12,022.75
Senior Citizens Volunteers	512.60
Score	12,567.58
Grants Land	1,589.00
Forfeited Tax Sale	11,966.21
Building	32,138.45
Capital Notes	11,203.92

Solid Waste	8,571.14
CWC Sanitary Mgt District	8,519.32
Total	\$891,230.36

2. Approved the Minnesota Lawful Gambling Application of the Garrison Lions for an Exempt Permit to be held on the date of May 20, 2010, 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.
3. Approved the Premises Permit Applications of the Heartland Animal Rescue Team for Class B Premises Permits to be held at the following locations, subject to all State Laws and upon approval of said Applications, the applicant submitting a copy of reports required by the State:
 - Matty's, Oak Lawn Township
 - Raceway Liquors, First Assessment District
 - Old Waterfall, First Assessment District
4. Approved the Grant-In-Aid Trail Permit between Crow Wing County and the State of Minnesota, Department of Natural Resources, across property as described on file in the Office of the County Auditor, for winter trail grooming for the Paul Bunyan State Trail, and authorized the Chair and County Auditor to sign said Permit.
5. 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>				
First American RE Tax Service	First Assmnt	(2009) 990104309B00009	Unchanged	Refund Overpayment of \$ 27.00
First American RE Tax Service	Breezy Point	(2009) 101590010040009	Unchanged	Refund Overpayment of \$59.20
Chase Home Finance	Baxter	(2009) 031440020020009	Unchanged	Refund Overpayment of \$1,537.78
<u>Reduction in Market Value</u>				
Brainerd HRA	Brainerd	(2005) Various (on file)		
	Brainerd	(2006) Various (on file)		
	Brainerd	(2007) Various (on file)		
Constance & Kenneth Ritter	Baxter	(2008) 020121100D00009	\$ 1,903.40	\$ 1,710.24
Constance & Kenneth Ritter	Baxter	(2009) 020121100D00009	\$ 2,082.89	\$ 1,891.57

6. Approved the Minnesota Trail Assistance Program Off Highway Vehicles – FY2010 Traditional Grant Agreement Applications for the Central Minnesota Wheelers and the Pine Center Sportsmen's Club, and authorized the County Auditor to sign said Applications.

7. Approved the ATV Trail Permit between Crow Wing County and the Pine Center Sportsmen's Club across property as described as on file in the Office of the County Auditor, and the Chair and County Auditor are authorized to sign said Permits.
8. Authorized the County Auditor to release the performance surety posted by DeChantal Excavating, LLC in the amount of \$500 for the 2009 Forest Road Maintenance Contract.
9. Approved the FY 2010 Natural Resources Block Grant Agreement between the State of Minnesota, Board of Water and Soil Resources, and Crow Wing County for a grant in the amount of \$76,267, effective July 1, 2009 through June 30, 2011, and the Chair and County Administrator are authorized to sign said agreement along with the Program Allocation and Contribution Plan.
10. Approved the Joint Powers Agreement between the State of Minnesota, Department of Natural Resources, and Crow Wing County Land Services Department to cooperate and coordinate projects for wildlife conservation and public recreation on county managed tax forfeited lands, and the Land Services Supervisor is authorized to sign said agreement.
11. Approved Grant Agreement Amendment PHER III – Vaccination Campaign to the original Public Health Emergency Response (PHER) Grant Agreement for the period from October 1, 2009 through July 31, 2012 for an additional fund amount of \$87,529, and the Community Services Director is authorized to sign said amendment.

PUBLIC HEARING TO CONSIDER APPLICATION OF BRENDA IKOLA, SPORTSMAN'S, MISSION TOWNSHIP, FOR OFF SALE LIQUOR LICENSE

Moved by Commissioner Thiede seconded by Commissioner Trusty to open the Public Hearing at 9:43 a.m. Motion Passed 4 to 0.

There was no public comment.

Moved by Commissioner Thiede seconded by Commissioner Houge to close the Public Hearing at 9:44 a.m. Motion Passed 4 to 0.

Moved by Commissioner Thiede seconded by Commissioner Trusty to approve the application of Brenda Ikola, Sportsman's, Mission Township for an Off Sale Liquor License. Motion Passed 4 to 0.

LAND SERVICES DIRECTOR

Moved by Commissioner Thiede seconded by Commissioner Houge to authorize the establishment of a cooperative partnership between Crow Wing County and Cass County to share the services of the Cass County Assessor on a 50-50 basis for the period of one year, to authorize the Land Service Director to enter into an agreement for same, and to authorize the expenditure of \$61,118 for this purpose from funds previously allocated from the Recorder's Fund for the CAMA Conversion Project. Motion Passed 4 to 0.

COUNTY AUDITOR

Moved by Commissioner Houge seconded by Commissioner Trusty to close all County government buildings at noon on December 24, 2009, to observe the Christmas holiday. Motion Passed 4 to 0.

Moved by Commissioner Thiede seconded by Commissioner Houge to certify assessments against the following parcels for the installation of markers for addressing related to the operation of enhanced 911 emergency service, pursuant to Minnesota Statute 429.011, Subd. 5. Motion Passed 4 to 0.

<u>Name</u>	<u>Parcel</u>	<u>Amount</u>
Chad Cooley	660073400D00009	\$70.00
Edgar Laughton	600212100000009	\$55.00
Scott & Victor & Marie Hauck	760092100AA0009	\$55.00
Michael & Julie Schendzielos	580191002A00009	\$55.00
Thomas & Cynthia Porta & Samuel & Christina Hooper	580191002000009	\$55.00
American National Bank of MN	540202200AA0009	\$55.00
Paul & Sharon Eberhard	590334200ED0009	\$55.00
Debra & Daniel Willet	590334400A00009	\$55.00
Sandra Niccum	730334202G00009	\$55.00
Bernard & Carol Moormann (fee for moving driveway to different road)	95112001005Z009	\$25.00
Randy & Audrey Buchite (fee is for 2nd dwelling on parcel)	220361302AA0009	\$25.00

Moved by Commissioner Thiede seconded by Commissioner Houge to approve **Resolution #2009-82** (attached): A Resolution of the County Board of Crow Wing County Authorizing the Creation of a Recovery Zone under the Provisions of the American Recovery and Reinvestment Act of 2009 within the Town of Center for the Purpose of Issuing Recovery Zone Economic Development Bonds; and Designating the Local Allocation of the Recovery Zone Economic Development Bonds of Crow Wing County to the Town of Center for Street Reconstruction Projects. Motion Passed 4 to 0.

HUMAN RESOURCE DIRECTOR

Moved by Commissioner Trusty seconded by Commissioner Thiede to approve the hiring requests for the Community Services Department, Health Division, for a Senior Admin/Technical Specialist at pay grade 7, and the Social Services Division for a Social Worker at pay grade 11 or 13 depending on qualifications. Motion Passed 4 to 0.

Moved by Commissioner Thiede seconded by Commissioner Houge to recess the regular session and convene to a closed session for the purpose of labor negotiation strategy at 10:11 a.m. Motion Passed 4 to 0.

Present were all County Board members except Commissioner Nystrom, County Administrator Timothy Houle, County Auditor Deborah Erickson, County Attorney Donald Ryan, Human Resource Director Tamra Laska, Accounting & Finance Manager/Deputy Auditor Michael Carlson, Chief Deputy Sheriff Debra Backdahl, Administrative Coordinator Therese Norwood, HR Specialist Amy Fischer and Administrative Associate Jennifer LeDoux.

Moved by Commissioner Thiede seconded by Commissioner Trusty to recess the closed session and reconvene to the County Board meeting at 10:53 a.m. Motion Passed 4 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 Central Minnesota Community Corrections Executive Committee, Mississippi Headwaters Board, South Country Health Alliance Joint Powers Board, Family Services Collaborative Governance Board and Northern Pines Mental Health Board.

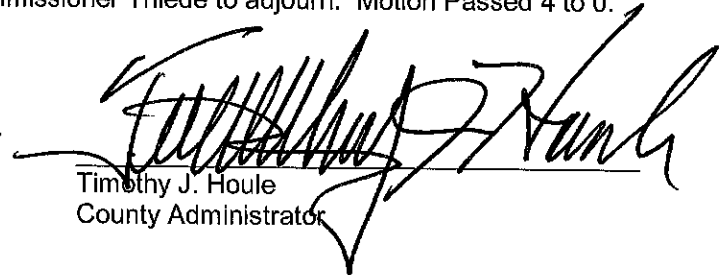
A report was given by Commissioner Franzen regarding the Riverside Drive meetings.

ADJOURNMENT

Moved by Commissioner Houge seconded by Commissioner Thiede to adjourn. Motion Passed 4 to 0.
The Board meeting adjourned at 11:10 a.m.



Rosemary Franzen, Chair
Board of County Commissioners



Timothy J. Houle
County Administrator

Prepared by Therese Norwood

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: November 24, 2009
OFFERED BY COMMISSIONERS: Thiede and Houge

RESOLUTION #2009-82

A RESOLUTION OF THE COUNTY BOARD OF CROW WING COUNTY AUTHORIZING THE CREATION OF A RECOVERY ZONE UNDER THE PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 WITHIN THE TOWN OF CENTER FOR THE PURPOSE OF ISSUING RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS; AND DESIGNATING THE LOCAL ALLOCATION OF THE RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS OF CROW WING COUNTY TO THE TOWN OF CENTER FOR STREET RECONSTRUCTION PROJECTS

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") revised the Internal Revenue Code ("Code") to create Recovery Zone Bonds which can only be issued for certain "qualified economic development purposes" in a Recovery Zone, and

WHEREAS, for purposes of §§ 1400U-1 and 1400U-2 of the Code, the term "recovery zone" means any area designated by the issuer as having significant unemployment, rate of home foreclosures, or general distress, and

WHEREAS, §1400U-2 (c) of the Code defines the term "qualified economic development purpose" to mean any expenditures for purposes of promoting development or other economic activity in a recovery zone, including (1) capital expenditures paid or incurred with respect to property located in the recovery zone, and (2) expenditures for public infrastructure and construction of public facilities, and

WHEREAS, before any Recovery Zone Bonds can be issued, the County must designate the area in which a capital project is financed by Recovery Zone Bonds as a Recovery Zone, and

WHEREAS, the Town of Center is currently economically stressed as evidenced by increasing unemployment rates and housing foreclosures, and

WHEREAS, the State of Minnesota has allocated \$926,000 of its Recovery Zone Bond volume cap limitation to Crow Wing County for use in the Recovery Zone Economic Development Bond Program, and

WHEREAS, I.R.S. Notice 2009-50 provides that for this purpose, any state, county, or large municipality that receives a volume cap allocation for Recovery Zone Economic Development Bonds may make these designations of recovery zones in any reasonable manner as it shall determine in good faith in its discretion, and

WHEREAS, this Board supports the effort of the Town of Center to reconstruct Sorenson Lake Road, Rebel Road, Settler Trail and Buckhorn Trail, and

WHEREAS, this Board desires to allocate up to 100% of Crow Wing County's recovery zone bond allocation to the Town of Center to help finance the reconstruction of Sorenson Lake Road, Rebel Road, Settler Trail and Buckhorn Trail ("Project") within the Town of Center, and

WHEREAS, this Board desires to designate the Town of Center as the issuer of all Recovery Zone Bonds for the Project, and

WHEREAS, the County will not be responsible for any costs of the Project, nor shall it be deemed to constitute a general obligation of the County, and neither the full faith and credit nor the taxing power of the County shall be pledged to the payment of the Bonds.

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

Section 1. The Board hereby designates the entire geographical area of the Town of Center as a Recovery Zone under §1400U-1 due to increasing unemployment rates and housing foreclosures ("Center Township Recovery Zone").

Section 2. The Board hereby designates the Town of Center as its agent to issue Recovery Zone Bonds in the Center Township Recovery Zone.

Section 3. The Board hereby authorizes and directs 100% of Crow Wing County's allocation of its Recovery Zone Economic Development Bonds to the Town of Center for the issuance of bonds to finance the Project. This allocation will terminate on January 31, 2010 unless the bonds are issued on or before January 31, 2010.

Section 4. The Board authorizes and directs the County Auditor to sign, deliver, or file any documents, agreement, or certificates in connection with the designation of the Recovery Zone and the designation of the Town of Center as the issuer of the Recovery Zone Bonds, as may be required by ARRA, the Code, the Treasury Regulations promulgated under the Code, and any other applicable statute or regulation, as the County Auditor deems necessary and appropriate.

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 November 24, 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 15th day of December 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> </u>	<u> </u>
DISTRICT #4 -- FRANZEN	<u> X </u>	<u> </u>
DISTRICT #5 -- HOUGE	<u> X </u>	<u> </u>