

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

Historic Courthouse
Brainerd, Minnesota

March 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 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.

PRESENTATION OF CERTIFICATES OF APPRECIATION

The Board publicly recognized and thanked outgoing citizen committee members for their time and dedication. Chair Franzen presented Certificates of Appreciation to Dianna Jenkins, Child Abuse Prevention Council; Mary Kay Verkennes, Child Abuse Prevention Council; Mernyce Steberg, Community Health Services Advisory Committee; Jon Henke, Parks and Trails Advisory Committee; Gloria Perpich, Parks and Trails Advisory Committee; Patrick Kraklau, Planning Commission; and Arthur Gensmer, Rollie Johnson Natural and Recreational Area Joint Powers Board, and others were recognized in absentia.

APPROVAL OF MINUTES AND AGENDA

Moved by Commissioner Thiede seconded by Commissioner Trusty to approve the minutes of the March 10, 2009 regular County Board meeting, all aye. Motion carried.

Moved by Commissioner Houge seconded by Commissioner Thiede to approve the minutes of the March 17, 2009 Committee of the Whole meeting, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Trusty to approve the agenda of the March 24, 2009 meeting, all aye. Motion carried.

CONSENT AGENDA

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

1. Approved **Resolution #2009-33** (attached): 2009 Federal Boating Safety Supplement Grant Agreement.
2. Approved **Resolution #2009-34** (attached): Pequot Lookout Tower Lease.

3. Approved the 2009 Tobacco License application of Justin Bolz-Andolshek, Ideal Market & Gas, Ideal Township, as approved by the County Attorney and County Sheriff, subject to any delinquent taxes being paid, and the County Auditor is authorized to issue said License.
4. Authorized payment to Crow Wing Soil and Water Conservation District in the amount of \$53,500 for their first half 2009 appropriation, to be paid from the General Fund.
5. Authorized the County Auditor to sign the Snowmobile Trails Assistance Program Maintenance and Grooming Certification of Satisfactory Grooming – 3rd Benchmark for the Gull Lake Drifters Inc. and Cuyuna Range Snowmobile Trails, Inc.
6. Approved the Minnesota Trail Assistance Program Off Highway Vehicles – FY2009 Traditional Grant Agreements for the Central Minnesota Wheelers and the Pine Center Sportsmen’s Club, and the Chair and County Auditor are authorized to sign said agreements.
7. Supported the Minnesota Lawful Gambling Application of the Holy Family Church for an Off-Site Gambling permit to be held on the date of May 3, 2009, at the Holy Family Activity Center, Roosevelt, subject to all State Laws and upon approval of said date, the applicant submitting a copy of reports required by the State.
8. Supported the Minnesota Lawful Gambling Application of First Lutheran Church for an Exempt Permit to be held on the date of September 6, 2009, at Bay Lake Camp, 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.
9. 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 Fort Ripley Trail Busters, and the Chair and County Auditor are authorized to sign said Permit.
10. Approved the following tax applications as recommended by the County Treasurer, Assessor and Auditor:

<u>APPLICANT</u>	<u>DISTRICT</u>	<u>REAL ESTATE CODE</u>	<u>TAX</u>	<u>SETTLEMENT</u>
<u>Settlement Applications</u>				
Harmony Point Townhouse Association	Breezy Point	(2008) 101780010130009	\$ 198.93	Refund/Duplicate Assessment
Tax Forfeited	Pelican	(2007) 821000020830009	\$ 209.12	Cancel
	Pelican	(2008) 821000020830009	\$ 203.26	Cancel
US Postal Service	Brainerd	(2008) 09196065004Z009	\$ 919.46	Cancel

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

<u>Abatement Application</u>				
Raymond & Judith Larson	Breezy Point	(2008) 106030004260009	\$1,673.18	Refund Overpayment
<u>Homestead Application</u>				
Sarah Cline	Pequot Lakes	(2008) 2912000090CA009	\$659.04	\$362.52

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

General	\$318,627.81
Reserved & Designated Funds	31,222.73
Road and Bridge	100,929.87
Social Services	10,679.78
Senior Citizens Volunteers	137.45
Score	14,388.30
Forfeited Tax Sale	8,314.62
Building	4,916.83
Second Assessment District	76.68
Debt Serv-Capital Notes	431.25
Debt Serv-Cty Jail Bonds (2004B)	431.25
Debt Serv-Cap Imp Plan Bonds (2004A)	431.25
Capital Notes	44,135.73
Solid Waste	70,009.15
CWC Sanitary Mgt District	496.16
Total	\$605,228.86

12. Approved the final plat of PARADISE VIEW consisting of 2 lots involving approximately 1.2 acres located in Sec. 23-44-30, Long Lake Township.
13. Received the Land Use Data Reports and placed them on file.
14. Approved **Resolution #2009-35** (attached): Release of Tax Forfeited Land – Cuyuna Country State Recreation Area.
15. Authorized withholding the following tax forfeited tract from public sale as requested by the City of Emily; and further, the Purchasing Agent is authorized to secure appraisal services and appraisals are not to commence until the City of Emily remits the appropriate appraisal fee to be deposited into the Forfeited Tax Sale Fund, with said fund then to be debited to cover the appraisal cost: City of Emily, Tract 05-09: Lots 1, 2 and 3, Block 8, Emily (211210080010009, 211210080020009, 211210080030009).
16. Authorized the Purchasing Agent to secure appraisal services for the following tax forfeited lots in the City of Breezy Point; and further, appraisals are not to commence until the City of Breezy Point remits the appropriate appraisal fees to be deposited into the Forfeited Tax Sale Fund, with said fund then to be debited to cover the appraisal cost:
- Lot 90, Fourteenth Addition to Breezy Point Estates (101150000900009)
 - Lot 92, Fourteenth Addition to Breezy Point Estates (101150000920009)
 - Lot 171, Fourteenth Addition to Breezy Point Estates (101150001710009)
17. Accepted the Land Exchange Application and fee submitted by Scott M. and Kathleen Stenberg involving their land described as SE1/4 of NE1/4, together with an easement of record, Sec. 29-47-29, 930291400000009, and tax forfeited land described as Part of Government Lot 2 and including that part of Government Lot 1, Sec. 29-138-26, 210293202A00009; and further, the Board classifies the tax forfeited land to a non-conservation status; and further, the Purchasing Agent is authorized to secure appraisal services with appraisal costs to be shared equally as per policy, with the Land Department's share to be debited from the Forfeited Tax Sale Fund.

18. Classified a non-conforming tax forfeited tract described as Lot 4 except northwesterly 32 feet thereof, Pine Shores First Subdivision, 81108000004B009, to a non-conservation status for purposes of a direct sale to an adjacent owner(s) pursuant to M.S. 282.01, Subd. 7a, subject to township and DNR approval; and further, the Purchasing Agent is authorized to secure appraisal services and appraisal is not to commence until the adjacent owner remits the appropriate appraisal fee to be deposited into the Forfeited Tax Sale Fund, with said fund then to be debited to cover the appraisal cost.
19. Authorized payments to the following for their 2009 recycling programs, in accordance with County Policy, to be paid from the SCORE Fund:

Mission Township	\$5,000.00
Merrifield Lions	\$4,000.00
20. Agreed to enter into Recycling Agreements with Mission Township and Merrifield Lions, both who receive SCORE grant funding, with said Agreement's purpose to develop and promote environmentally sound methods of managing solid waste, promote recycling and provide a cost efficient recycling opportunity for residents; and further, the Chair and County Administrator are authorized to sign said Agreements, subject to review by the County Attorney as to form and execution.
21. Received the 2008 Recycling Report as prepared by the Waste Management Director and placed it on file.
22. Accepted the low quote of Stockman Transfer, Inc. of \$60 per 1,000 gallons for hauling leachate, on an emergency basis, in 2009 from the Crow Wing County Landfill to St. Paul.
23. Accepted the quote of Superior Jetting of \$15,000 for 2009 Leachate Collection Pipe Cleaning Services at the Crow Wing County Landfill.

MISCELLANEOUS BUSINESS

COMMITTEE REPORTS

Reports were given by Commissioner Thiede on behalf of the South Country Health Alliance Joint Powers Board and the Central Minnesota Community Corrections Management Team.

A report was given by Chair Franzen on behalf of the Minnesota Rural Counties Caucus Executive Committee.

ADDITIONAL BUSINESS – None.

HUMAN RESOURCE DIRECTOR

Moved by Commissioner Nystrom seconded by Commissioner Trusty to approve the following hiring requests, all aye. Motion carried.

- Waste Management – Seasonal Hazardous Waste Technical Assistant
- Highway – Seasonal Engineering Aides (3)
- Sheriff – Seasonal Boat and Water Interns (2)
- Seasonal – Boat and Water Deputies (2)
- Facilities – Seasonal Worker

2009 CITIZEN COMMITTEE APPOINTMENTS

The Chair made the following 2009 citizen committee appointments:

NAME	COMMITTEE	TERM	DISTRICT	REAPPOINTMENT OR NEW
Guy Lommen	Countywide Transit Committee	01-31-10	5	Reappointment
Ralph Dehning	Lands & Forestry Advisory Committee	01-31-11	5	Reappointment
Richard Herold	Lands & Forestry Advisory Committee	01-31-11	At Large	New appointment

PUBLIC HEARING – CONSIDER AMENDING PLANNING AND ZONING FEE SCHEDULE

Moved by Commissioner Thiede seconded by Commissioner Houge to open the Public Hearing at 9:30 a.m., all aye. Motion carried.

There was no public comment.

Moved by Commissioner Thiede seconded by Commissioner Trusty to close the Public Hearing at 9:33 a.m., all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Houge to approve amending the Crow Wing County Planning and Zoning Fee Schedule to add an additional fee under Zoning Permits – New Construction – Residential of \$250 for each additional 1,000 square feet beyond 4,000 square feet, all aye. Motion carried.

LAND SERVICES DIRECTOR

WASTE MANAGEMENT DIVISION

Moved by Commissioner Trusty seconded by Commissioner Thiede to approve Change Order No. 1 to the contract with Widseth, Smith & Nolting for MMSW Landfill Environmental Monitoring Services for an increase in the contract of \$15,528.01; and further, the Chair and County Administrator are authorized to sign said Change Order, subject to review by the County Attorney as to form and execution, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Houge to approve Change Order No. 2 to the contract with Veit & Company, Inc. for Construction of MMSW-376 Landfill Cell 4 and Leachate Pond 4 for an increase in the contract of \$40,288.67; and further, the Chair and County Administrator are authorized to sign said Change Order, all aye. Motion carried.

Moved by Commissioner Trusty seconded by Commissioner Nystrom to approve Change Order No. 1 to the contract with Bogart, Pederson & Associates for Landfill Professional Surveying Services for an increase in the contract of \$306.50; and further, the Chair and County Administrator are authorized to sign said Change Order, all aye. Motion carried.

SET BOARD OF EQUALIZATION DATE

Moved by Commissioner Nystrom to set the 2009 Board of Equalization date for Monday, June 15 and split the day into two sessions. Motion died for lack of second.

Moved by Commissioner Thiede seconded by Commissioner Houge to set the 2009 Board of Equalization date as follows: Option 1 – Saturday, June 13 at 9:00 a.m. with the reconvene date of Tuesday, June 23 after the regular County Board meeting unless the reconvene date is required to be the

next Saturday; if this is the case then Option 2 – Monday, June 15 at 9:00 a.m. with the reconvene date of Tuesday, June 23 after the regular County Board meeting, all aye. Motion carried.

COUNTY SHERIFF

Moved by Commissioner Trusty seconded by Commissioner Nystrom to authorize Deputy James Lee to attend the Emergency Vehicle Operator Course (EVOC) to be held April 13-May 1, 2009, in Lansing, Michigan, with all expenses to be paid from the County Sheriff's Budget, all aye. Motion carried.

COUNTY ADMINISTRATOR

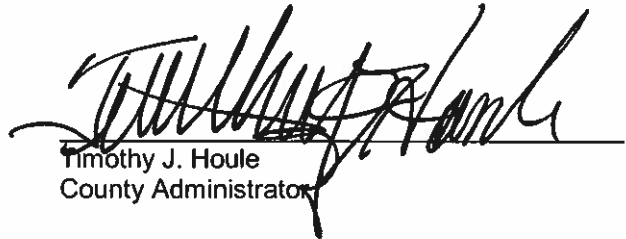
A report was given by the County Administrator on behalf of the Senior Management Team.

ADJOURNMENT

Moved by Commissioner Nystrom seconded by Commissioner Houge to adjourn, all aye. Motion carried. The Board meeting adjourned at 10:23 a.m.



Rosemary Franzen, Chair
Board of County Commissioners



Timothy J. Houle
County Administrator

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: March 24, 2009
OFFERED BY COMMISSIONERS: Houge and Trusty

RESOLUTION #2009-33

2009 FEDERAL BOATING SAFETY SUPPLEMENT GRANT AGREEMENT

WHEREAS, Crow Wing County is eligible to receive up to \$20,000 as reimbursement for participation in 2009 Federal Boating Safety Enforcement to be conducted May 9, 2009, through September 7, 2009.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, agrees to enter into a Federal Boating Safety Supplement Grant Agreement between the State of Minnesota, Commissioner of Natural Resources, Bureau of Information and Education, and Crow Wing County to be used for additional patrol and enforcement on lakes in Crow Wing County during said period.

BE IT FURTHER RESOLVED the Chair, County Administrator and County Sheriff are authorized to sign said agreement, subject to review by the County Attorney as to form and execution.

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 March 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 10th day of April 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

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

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: March 24, 2009
OFFERED BY COMMISSIONERS: Houge and Trusty

RESOLUTION #2009-34

PEQUOT LOOKOUT TOWER LEASE

BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, agrees to enter into a Lease Agreement between Crow Wing County and the State of Minnesota, Department of Natural Resources, for lease of the Pequot Lookout Tower for radio voting receiving, effective April 1, 2005, through March 31, 2015.

BE IT FURTHER RESOLVED the Fee Payment Schedule is as follows: \$4,800 due upon execution of said Lease Agreement, \$1,200 due April 1, 2009, and each April 1 thereafter, not to exceed \$12,000 for the total lease fee.

BE IT FURTHER RESOLVED the Chair and County Administrator authorized to sign said Lease Agreement.

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 March 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 10th day of April 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> X </u>	<u> </u>

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: March 24, 2009
 OFFERED BY COMMISSIONERS: Houge and Trusty

RESOLUTION #2009-35

RELEASE OF TAX FORFEITED LAND – CUYUNA COUNTRY STATE RECREATION AREA

WHEREAS, the Commissioner of Natural Resources of the State of Minnesota has made application under authority of M.S.A. Section 282.01, Subd. 2, on behalf of the Department of Natural Resources, a state agency, for release of the following described lands from the trust in favor of the taxing district:

1. Undivided 560/8400 Interest in Lot 5 (SE1/4 of NW1/4) (690032405000AF0) – 25.25 acres
 2. Undivided 560/8400 Interest in rem. of Lot 6 (NE1/4 of SW1/4) & N1/2 of Tract 1 (NW1/4 of SW1/4) (6900331060A0AF0) – 48 acres
- ALL WITHIN SECTION 3-T46N-R29W (Irondale Township)

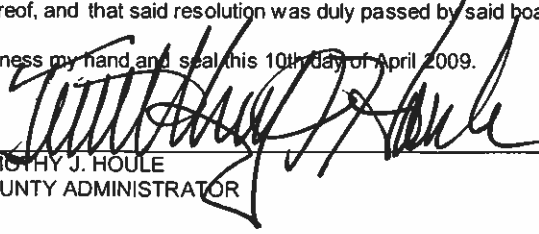
WHEREAS, it appears that there is need for such lands and the applicant desires to obtain such lands for conservation purposes.

NOW, THEREFORE, BE IT RESOLVED that the petition of said Commissioner of Natural Resources of the State of Minnesota be granted and that the above described lands be and hereby are released from the trust in favor of the taxing district to the State of Minnesota, Department of Natural Resources.

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 March 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 10th day of April 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	_____