

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

Historic Courthouse
Brainerd, Minnesota

May 26, 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 – None.

APPROVAL OF MINUTES AND AGENDA

Moved by Commissioner Thiede seconded by Commissioner Trusty to approve the minutes of the May 12, 2009 regular County Board meeting, all aye. Motion carried.

Moved by Commissioner Trusty seconded by Commissioner Thiede to approve the agenda of the May 26, 2009 meeting, all aye. Motion carried.

CONSENT AGENDA

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

1. Accepted a donation of \$750 from the Brainerd Jaycees for the Crow Wing County Dive Team.
2. Approved the Minnesota Lawful Gambling Application of Confidence Learning Center for an Off-Site Gambling Permit to be held June 6, 2009, at North Central Speedway, Crow Wing 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 Minnesota Lawful Gambling Application of Legionville School Patrol Camp for an Exempt Permit to be held September 11-13, 2009, at Legionville School Patrol Camp, First Assessment District, subject to all State Laws and upon approval of said dates, the applicant submitting a copy of reports required by the State.
4. Approved the Minnesota Lawful Gambling Application of the Knights of Columbus (11679) for an Exempt Permit to be held August 21, 2009, at St. Mathias Church/Park, St. Mathias Township, subject to all State Laws and upon approval of said date, the applicant submitting a copy of reports required by the State.

5. Approved the Grant-in-Aid Trail Permit between Crow Wing County and the State of Minnesota, Department of Natural Resources, across property described as on file in the Office of the County Auditor, for the Cuyuna Range Snowmobile Trails, Inc., and the Chair and County Auditor are authorized to sign said Permit.
6. Approved the new and renewal 3.2 Percent Malt Liquor License Applications as on file, as approved by the County Attorney, County Sheriff and appropriate Town Boards, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said Licenses.
7. Approved the renewal Off-Sale Liquor License Applications as on file, as approved by the County Attorney, County Sheriff and appropriate Town Boards, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said Licenses.
8. Approved the renewal On-Sale and Sunday Liquor License Applications as on file, as approved by the County Attorney, County Sheriff and appropriate Town Boards, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said Licenses.
9. Approved the renewal Combination (On-Sale/Sunday and Off-Sale) Liquor License Applications as on file, as approved by the County Attorney, County Sheriff and appropriate Town Boards, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said Licenses.
10. Approved the application of Green Roof Store Inc., Green Roof Store, for a Wine License, as approved by the County Attorney, County Sheriff and Town of Fairfield, subject to all State requirements and any delinquent taxes being paid and the County Auditor is authorized to issue said License.
11. In accordance with Minnesota Statute 340A.404, Subdivision 5, and resolution adopted by the Board of Commissioners on May 10, 1988, approved the application of Green Roof Store Inc., Green Roof Store, Fairfield Township, to sell intoxicating Malt Liquor as On Sale in conjunction with the On Sale Wine and On Sale 3.2 Percent Malt Liquor Licenses.
12. 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>Market Value Reduction</u>				
Debbie Zettervall	Mission	(2006) 00M587300000009	\$ 12.64	Cancel
<u>Homestead Classifications</u>				
Chris Christensen	Brainerd	(2009) 091240020020009	\$ 1,196.34	\$ 932.30
James & Elizabeth Wallace	Crosslake	(2009) 142020040010009	\$ 1,023.34	\$ 631.82

Cancelled the following appeals for adjustment of solid waste service charges as recommended by the Waste Management Director and County Auditor:

<u>APPLICANT</u>	<u>DISTRICT</u>	<u>REAL ESTATE CODE</u>	<u>TAX</u>	<u>SETTLEMENT</u>
Crow Wing County	Various	(2009) Various	\$ 165.00	Cancel

13. Approved the following payments for June 1, 2009 appropriations made by the County, and the County Auditor is authorized to issue the warrants from the General Fund:

Cuyuna Range Economic Development, Inc. (CREDI)	1 st half	\$11,250.00
Brainerd Lakes Area Development Corp. (BLADC)	1 st half	\$24,750.00
Initiative Foundation	1 st half	\$3,633.00
Brainerd Lakes Area Chamber	1 st half	\$1,500.00
Cuyuna Range Chamber	1 st half	\$602.00
Nisswa Chamber of Commerce	1 st half	\$360.00
Crow Wing County Composite Squadron	1 st half	\$750.00
Crow Wing County Fair Association	Full year	\$7,500.00
Crow Wing County Historical Society	1 st half	\$15,750.00
Crow Wing Soil & Water Conservation District	2 nd half	\$53,500.00
Kitchigami Regional Library	1 st half	\$282,549.00

14. Upon recommendation of the County Auditor, agreed to enter into an Agreement between Crow Wing County and ISD 181 (Brainerd Public Schools) to provide 2009 School District General Election Coordination Services, and the Chair and County Auditor are authorized to sign said Agreement, upon approval of the County Attorney.

15. Approved the following expenditure listing for May 26, 2009, with the full listing available on file in the Office of the County Auditor:

General	\$583,789.12
Reserved & Designated Funds	28,777.46
Road and Bridge	903,620.95
Social Services	9,755.42
Senior Citizens Volunteers	489.65
Score	11,960.63
Forfeited Tax Sale	522.60
Detention Lease	375.00
Capital Notes	645.73
Solid Waste	149,986.80
CWC Sanitary Mgt District	7,500.00
Total	\$1,697,423.36

16. Authorized the County Purchasing Agent to secure appraisal services for the following tax forfeited lots in Pelican Township, with appraisal fees to be debited from the Forfeited Tax Sale Fund:

1. Lot 14, Block 2, Cree Bay Addition to Breezy Point Estates (821000020140009)
2. Lot 15, Block 2, Cree Bay Addition to Breezy Point Estates (821000020150009)
3. Lot 16, Block 2, Cree Bay Addition to Breezy Point Estates (821000020160009)
4. Lot 17, Block 2, Cree Bay Addition to Breezy Point Estates (821000020170009)
5. Lot 18, Block 2, Cree Bay Addition to Breezy Point Estates (821000020180009)
6. Lot 19, Block 2, Cree Bay Addition to Breezy Point Estates (821000020190009)
7. Lot 60, Block 2, Cree Bay Addition to Breezy Point Estates (821000020600009)
8. Lot 61, Block 2, Cree Bay Addition to Breezy Point Estates (821000020610009)
9. Lot 62, Block 2, Cree Bay Addition to Breezy Point Estates (821000020620009)
10. Lot 63, Block 2, Cree Bay Addition to Breezy Point Estates (821000020630009)

17. Authorized the direct sale of a non-conforming lot described as Outlot B, Bruner Royce Addition (2911500090B0009) to an adjacent owner(s) pursuant to M.S. 282.01, Subd. 7a; and further, the County 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; and further, said fund is then to be debited to cover the appraisal cost; and further, the Board authorized setting the sale price at appraised value upon receipt of the appraisal.

MISCELLANEOUS BUSINESS

COMMITTEE REPORTS

A report was given by Commissioner Thiede on behalf of the State Community Health Services Advisory Committee.

ADDITIONAL BUSINESS – None.

LAND SERVICES DIRECTOR

PLANNING AND ZONING

Public comment was heard from the following citizens regarding the rezoning request for David Kasper: Larry Zylka, Bill Kronstedt, Merrily Monda, Doug Ripley, Mary Reetz, Diane Zylka and David Kasper.

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the petition of David Kasper for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office, all aye, except Commissioner Trusty nay. Motion carried.

S. Two-Thirds of NE1/4 of NW1/4, Sec. 5, Maple Grove Township
Rezone from Green Space to Agricultural involving approximately 28.96 acres

HUMAN RESOURCE DIRECTOR

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

- Facilities – Maintenance Technician II (Maintenance Electrician)

COUNTY SHERIFF

Moved by Commissioner Thiede seconded by Commissioner Houge to approve **Resolution #2009-55** (attached): Amendment No. 2 to Joint Powers Agreement with MN DOC to Continue Services for Housing MN DOC Adult Offenders, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Houge to approve **Resolution #2009-56** (attached): Joint Powers Agreement with MN DOC For Work Release Program, all aye. Motion carried.

Moved by Commissioner Houge seconded by Commissioner Trusty to enter into a Law Enforcement Contract between Crow Wing County and Brainerd International Raceway and Resort for law enforcement services for August 13-16, 2009, and the Chair and County Auditor are authorized to sign said contract, subject to review by the County Attorney as to form and execution, all aye. Motion carried.

Moved by Commissioner Trusty seconded by Commissioner Houge to authorize Deputies Scott Friis, Tim Moe and Jon Ray, Chief Deputy Debi Backdahl and Captain Neal Gaalswyk to attend the National

Improvised Explosives Familiarization (NIEF) training to be held June 2-4, 2009, in Fargo, North Dakota, with all traveling and lodging expenses to be paid from the County Sheriff's Budget, all aye. Motion carried.

COUNTY AUDITOR

Moved by Commissioner Thiede seconded by Commissioner Trusty to adopt the Lake Improvement District Policy, as on file in the Office of the County Auditor, which outlines the procedures and practices for the following two options for establishment of Lake Improvement Districts, all aye. Motion carried.

Option 1 – Initiation and Establishment by County Board (M.S. 103B.515)

Option 2 – Initiation by Petition and Establishment by County Board (M.S. 103B.521)

COUNTY ADMINISTRATOR

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

ADJOURNMENT

Moved by Commissioner Thiede seconded by Commissioner Houge to adjourn, all aye. Motion carried. The Board meeting adjourned at 10:54 a.m.


Rosemary Franzen, Chair
Board of County Commissioners


Timothy J. Houle
County Administrator

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: May 26, 2009
OFFERED BY COMMISSIONERS: Thiede and Houge

RESOLUTION #2009-55

**AMENDMENT NO. 2 TO JOINT POWERS AGREEMENT WITH MN DOC
TO CONTINUE SERVICES FOR HOUSING MN DOC ADULT OFFENDERS**

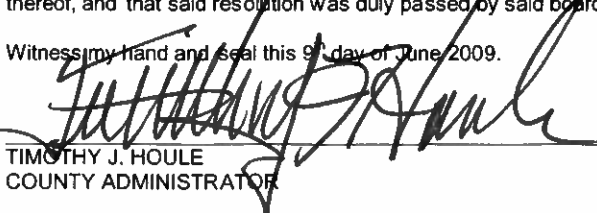
BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, approves Amendment No. 2 to the Joint Powers Agreement between the State of Minnesota, acting through its Commissioner of Corrections, Adult Facilities Division, and Crow Wing County for secure housing of offenders committed to the Commissioner of Corrections, with said Amendment extending the term to June 30, 2010.

BE IT FURTHER RESOLVED the Chair and County Administrator are authorized to execute the Amendment.

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 May 26, 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 9th day of June 2009.



TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

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

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: May 26, 2009
OFFERED BY COMMISSIONERS: Thiede and Houge

RESOLUTION #2009-56

**JOINT POWERS AGREEMENT WITH MN DOC
FOR WORK RELEASE PROGRAM**

WHEREAS, the State of Minnesota is in need of the care and custody of selected participants in the Work Release Program.

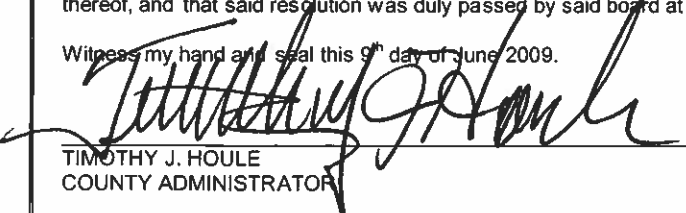
NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, agrees to enter into a Joint Powers Agreement between the State of Minnesota, Department of Corrections, Work Release Unit, and Crow Wing County to accept as residents those offenders conditionally released on work release as provided in Minnesota Statute 241.26 and allow them to participate in the Crow Wing County Jail work release program, effective July 1, 2009, through June 30, 2010.

BE IT FURTHER RESOLVED the Chair and County Administrator are authorized to execute the 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 May 26, 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 9th day of June 2009.


TIMOTHY J. HOULE
COUNTY ADMINISTRATOR

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