

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

Historic Courthouse
Brainerd, Minnesota

June 9, 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 Trusty to approve the minutes of the May 19, 2009 Committee of the Whole meeting, all aye. Motion carried.

Moved by Commissioner Houge seconded by Commissioner Thiede to approve the minutes of the May 26, 2009 regular County Board meeting, all aye. Motion carried.

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the agenda of the June 9, 2009 meeting, all aye. Motion carried.

CONSENT AGENDA

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

1. Approved the following renewal 3.2 Percent Malt Liquor License Applications, 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 was authorized to issue said Licenses

LNAME	BUSINESS	TOWN	TYPE
CHAR'S BAR INC	PARADISE SHORES RESORT	MAPLE GROVE	OFF
CLIFFORD SASKER	NORTH CENTRAL SPEEDWAY	CROW WING	ON

2. Approved the following renewal On-Sale and Sunday Liquor License Application, 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 was authorized to issue said License.

LNAME	BUSINESS	TOWN
CHAR'S BAR INC	PARADISE SHORES RESORT	MAPLE GROVE

3. Accepted a donation of \$300 from Crosslake – Ideal Lions Club for the Triad Senior Services Education.
4. Supported the Minnesota Lawful Gambling Application of the Brainerd Chapter of the Ruffed Grouse Society for an Exempt Permit to be held on the date of August 27, 2009, at Timbermist Banquet Hall, First Assessment, subject to all State Laws and upon approval of said date, the applicant submitting a copy of reports required by the State.
5. Supported the Premises Permit Application of the Aitkin Lions Club for a Class B Premises Permit to be held at Ruttger's Bay Lake Lodge, Bay Lake Township, subject to all State Laws and upon approval of said Application, the applicant submitting a copy of reports required by the State.
6. Upon recommendation of the Purchasing Department, the County Auditor was authorized to release the performance surety posted by Superior Forestry Services, Inc. in the amount of \$578.34 for 2009 Tree Planting and payment is to be made based on the contract agreement.
7. Adopted **Resolution No. 2009-57** to enter into Agreement No. 94448 with MnDOT for the development and implementation of the Paul Bunyan Scenic Byway Sustainability Plan.
8. Entered an agreement with City of Crosslake to define requirements and future obligations related to the trail extension project and authorized the Chair of the County Board and County Administrator to execute said agreement subject to review by the County Attorney as to form and execution.
9. Adopted **Resolution No. 2009-58** for Cancellation of Tax Forfeited Land Contracts.
10. Adopted **Resolution No. 2009-59** – State of Minnesota Federal Boating Safety Supplement Grant Agreement
11. Approved the following expenditure listing for June 9, 2009, with the full listing available on file in the Office of the County Auditor:

General	190,057.81
Reserved & Designated Funds	20,548.36
Road and Bridge	1,479,118.34
Social Services	7,686.21
Senior Citizens Volunteers	4,607.75
Score	3,329.61
Forfeited Tax Sale	7,541.46
Building	511.20
Capital Notes	65,920.70
Solid Waste	19,729.47
CWC Sanitary Mgt District	839.82
Total	\$ 1,799,890.73

MISCELLANEOUS BUSINESS

Carolyn Hamilton, Drug/DWI Court Coordinator thanked the Board and other County departments for their continued support of these programs.

COMMITTEE REPORTS

Reports were given on behalf of the AMC District meeting, South Country Health Alliance and the Census Meeting by Commissioner Thiede

A report was given on behalf of the Central Minnesota Emergency Medical Services Region Board by Commissioner Trusty.

ADDITIONAL BUSINESS – None.

COUNTY ENGINEER

Moved by Commissioner Thiede seconded by Commissioner Houge to accept the low bid of Astech Corporation in the amount of \$218,566.06 for the bituminous seal coat of CSAH 11 from CSAH 3 to TH 6 and to award the contract, and the Chair and County Administrator are authorized to sign said contract, upon approval of the County Attorney; and further, the County Auditor is authorized to return sureties to the unsuccessful bidders, all aye. Motion carried.

Moved by Commissioner Nystrom seconded by Commissioner Trusty to reject all bids for Project SP 018-070-002, CSAH 11 Rumble Stripes, and the County Auditor is authorized to return sureties to the unsuccessful bidders, all aye. Motion carried.

The Board set a date of July 9, 2009 at 10:00 a.m. for the next Transportation Advisory Committee.

The Board received an update on 2009 construction projects.

COMMUNITY SERVICES DIRECTOR

Moved by Commissioner Thiede seconded by Commissioner Houge to enter Purchase of Service Contracts as on file in the Office of Community Services Director and further authorized the Community Services Director to sign said contracts subject to review by the County Attorney as to form and execution, all aye. Motion carried.

The Board received a report from Community Services Director Susan Beck.

COUNTY SHERIFF

Moved by Commissioner Thiede seconded by Commissioner Trusty to approve the 2nd Amendment to the Agreement between Cass County and Crow Wing County as on file in the County Administrator's Office regarding the Financing and Use of the Crow Wing County Jail to House Cass County Inmates, and further to include a letter to Cass County to clarify the rate specifications in item 5., and further requested County Administrator to draft a thank you letter to the Department of Corrections, all aye. Motion carried.

COUNTY AUDITOR

The Board received an update on credit card usage.

Moved by Commissioner Houge seconded by Commissioner Trusty to authorize the County Auditor to set a Public Hearing to be held July 14, 2009 at 9:30 a.m. to consider the establishment of the Serpent Lake Improvement District, all aye. Motion carried.

Moved by Commissioner Nystrom seconded by Commissioner Houge to approve the reorganization of the County Auditor's Office as follows, all aye. Motion carried.

Integration of the Purchasing Department within the County Auditor's Office

Reclassification of an Accountant I in the AFSCME union to Budget & Accounting Analyst, non-contract retroactive to May 1, 2009.

Reclassification of a Sr. Accounting Clerk to Associate Accountant effective July 1, 2009.

LAND SERVICES DIRECTOR **PLANNING & ZONING**

Moved by Commissioner Thiede seconded by Commissioner Houge to approve the following Planning & Zoning consent items, all aye. Motion carried.

1. Approved the petition of James & Charmaine Donovan and Robert & Rachel Posch for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

NW1/4 of NE1/4, NE1/4 of NE1/4, Gov. Lot 1 & Gov. Lot 2, Sec 9, Lake Edward Township
Rezone from Green Space to Agriculture involving approximately 160 acres Rezone
2. Approved the petition of David Hughes Sr. for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

Part of SW1/4 of SW1/4 and part of NW1/4 of SW1/4, Sec 19, Little Pine Township
Rezone from Green Space to Rural Residential 5 for Parcel #740193300A00009 involving approximately 9.5 acres and from Green Space to Agriculture for Parcel #'s 740193300B00009 & 740193200B00009 involving approximately 38.5 acres
3. Approved the petition of Mike & Julie Schendzielos and Jason & Kelly Puhl for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

(Tract B) the N 400 FT of S 800 FT of Gov. Lot 2, Sec 19, 2nd Assessment
Rezone from Green Space to Shoreland Residential 2 involving approximately 7.7 acres.
4. Approved the petition of Douglas, Diane, Adam and Alan Gilson for the following zoning reclassification, based on the findings of fact on file in the Planning and Zoning office:

SW1/4 of NE1/4, Sec 9, Fort Ripley Township
Rezone from Green Space to Agriculture involving approximately 40 acres.
5. Amended the Official Zoning Ordinance Article 10.8 to allow a Conditional Use Permit with the Commercial 1 zoning district for Mobile Home Parks and Mobile Home Developments in the Land Use Classification Table
6. Approved the final plat of LAKE HAVEN consisting of 7 lots involving approximately 16 acres located in All of Gov. Lot 4, Sec 30, Lake Edward Township

COUNTY ADMINISTRATOR

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

SOUTH COUNTRY HEALTH ALLIANCE PRESENTATION (SCHA)

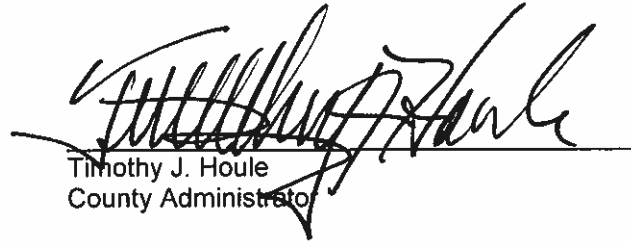
A report was given by Brian Nasi, Chief Executive Officer of South Country Health Alliance.

ADJOURNMENT

Moved by Commissioner Nystrom seconded by Commissioner Houge to adjourn, all aye. Motion carried.
The Board meeting adjourned at 11:10 a.m.



Rosemary Franzen, Chair
Board of County Commissioners



Timothy J. Houle
County Administrator

Prepared by Terrie Walseth

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: June 9, 2009
 OFFERED BY COMMISSIONERS: Trusty and Nystrom

RESOLUTION #2009-57

MINNESOTA DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 94448
DEVELOPMENT AND IMPLEMENTATION OF THE PAUL BUNYAN SCENIC BYWAY SUSTAINABILITY PLAN

WHEREAS, The PBSBA has applied for and been authorized to receive \$25,000 in federal funding for Project SP 18-060-07, to continue implementation of The Sustainability Plan; and

WHEREAS, Crow Wing County acts as the fiscal agent for the Paul Bunyan Scenic Byway Association (PBSBA) for federal funds; and

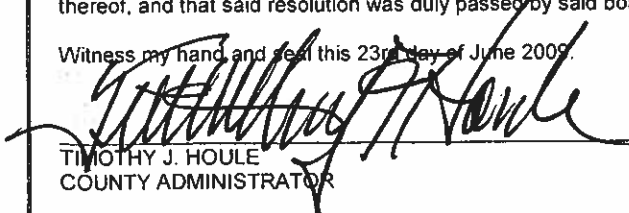
NOW THEREFORE BE IT RESOLVED that pursuant to Minnesota Statute Section 161.36, the Commissioner of Transportation be appointed as Agent of the Crow Wing County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED that the Chair of the County Board and the County Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into and agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement N. 94448", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

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 June 9, 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 23rd 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	X	
DISTRICT #4 – FRANZEN	X	
DISTRICT #5 – HOUGE	X	

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: June 9, 2009
 OFFERED BY COMMISSIONERS: Trusty and Nystrom

RESOLUTION #2009-58

CANCELLATION OF TAX FORFEITED LAND CONTRACTS

WHEREAS, Minnesota Statute 282.01 provides for the sale of tax forfeited lands which are classified as nonconservation, and

WHEREAS, Minnesota Statute 282.01, Subd. 4, provides a method for the sale of tax forfeited lands on an installment payment basis pursuant to an Auditor's Certificate of Purchase of Tax Forfeited Lands, and

WHEREAS, Minnesota Statute 282.01, Subd. 5, provides the criteria for when a purchaser of tax forfeited lands pursuant to Minnesota Statute 282.01, Subd. 4, is in default, and the method for the cancellation for such a contract, and

WHEREAS, certain tax forfeited land contracts are and have been in default for failure by the purchaser to make payments in accordance with the provisions of Minnesota Statute 282.01, Subd.5.

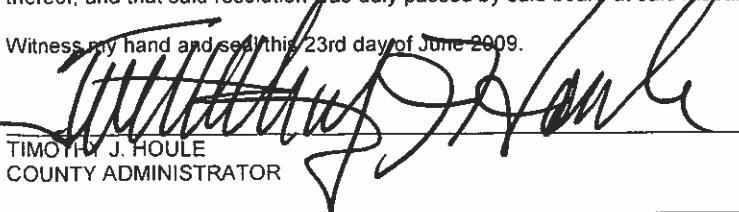
NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota declares that the following Auditor's Certificates of Purchase of Tax Forfeited Lands be, and hereby are, cancelled:

Purchaser	Certificate No:
Hung Minh Nguyen	1924
Cory L. Austin and Stacey L. Sumstad	1929
Lisa M. Gerhardt	1927
James G. and Rochelle Kilts	1900

STATE OF MINNESOTA)
 COUNTY OF CROW WING) ss

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Witness my hand and seal this 23rd 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	X	_____
DISTRICT #4 – FRANZEN	X	_____
DISTRICT #5 – HOUGE	X	_____

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: June 9, 2009
OFFERED BY COMMISSIONERS: Trusty and Nystrom

RESOLUTION #2009-59

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 July 1, 2009 through September 14, 2009.

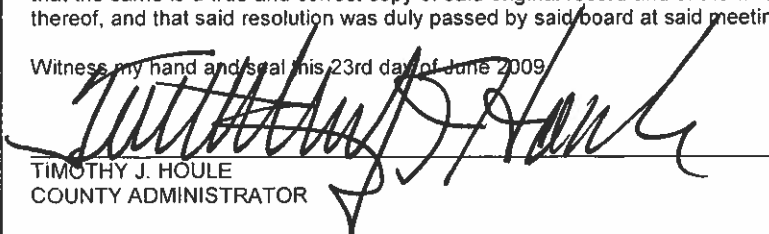
NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, agrees to enter into a Federal Boating Safety Supplement Grant Agreement between the State of Minnesota, Commissioner of Natural Resources, Bureau of Information and Education, and Crow Wing County to be used for additional recreational boating equipment.

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 June 9, 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 23rd 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	X	_____
DISTRICT #4 – FRANZEN	X	_____
DISTRICT #5 – HOUGE	X	_____