

**TRANSCRIPT AND REPORT OF PROCEEDINGS**

**CASS COUNTY**

**COUNTY OF CASS**

**JUNE 19, 2018**

1. Call to Order

Chair Robert Kangas convened the regular meeting of the Cass County Boards of Commissioners at 6:00 PM on Tuesday, June 19, 2018 with the flag pledge in the Sylvan Township, Pillager, MN.

1.a

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Neal Gaalswyk	Commissioner	Present	5:45 PM
Robert Kangas	Chair	Present	5:45 PM
Jeff Peterson	Commissioner	Present	5:45 PM
Scott Bruns	Vice Chair	Present	5:45 PM
Dick Downham	Commissioner	Present	5:45 PM

<u>NAME</u>	<u>REPRESENTING</u>	<u>NAME</u>	<u>REPRESENTING</u>
Joshua Stevenson	Administrator	Sandra Norikane	Chief Financial Officer
Kris Lyytinen	Highway Department	Troy Loren	Little Boy Resort
Nancy Loren	Little Boy Resort	Kevin Lee	North Ambulance
Yvette Dullinger	Sylvan Township	Sharon Anderson	Elections Administrator
Marla Yoho	Fairview Township	Greg Booth	Sylvan Township
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent
Larry Bybee	Self	Rose Marie Nelson	Self
Pat Wintheiser	Self		

1.b. Approval of agenda for discussion. (Any requests to be heard not on the proposed agenda are considered for inclusion at this time.)

Administrator Stevenson presented the agenda for Board consideration. Chairman Kangas asked if there were any requests to be heard. Pat Wintheiser asked to address the Board and was added to the agenda as item 2e. Mr. Stevenson then asked for a motion to approve the agenda as amended.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Peterson, Commissioner
<b>SECONDER:</b>	Scott Bruns, Vice Chair
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

2. Josh Stevenson - County Administrator

2.a. Consent Agenda

Administrator Stevenson presented the Consent Agenda for Board consideration and asked for a motion to waive reading and approve as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Dick Downham, Commissioner
<b>SECONDER:</b>	Neal Gaalswyk, Commissioner
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

Approve - Minutes of June 5th, 2018

Approve – Board of Equalization Minutes of Monday, June 11, 2018.

Approve - Auditor ACH (P1 2018 Tax Settlement 2nd Advance) dated June 5, 2018 in the amount of \$7,599,360.38

Approve - Auditor Manual Warrants/Voids/Corrections (Batch 2) dated May 2018 in the amount of \$213,330.55

Receive & File - May 2018 Monthly budget reports.

Approve - Auditor Warrants dated June 7, 2018 in the amount of \$486,270.21

Approve - Auditor Warrants dated June 14, 2018 in the amount of \$355,450.86

Approve - HHVS IFS Special Auditor Warrants dated May 31, 2018 in the amount of \$22,902.53

Approve - HHVS IFS Auditor Warrants dated June 1, 2018 in the amount of \$66,262.08

Approve - HHVS IFS-SSIS Auditor Warrants dated June 1, 2018 in the amount of \$80,328.91

Approve - HHVS IFS Special Auditor Warrants dated June 5, 2018 in the amount of \$2,641.50

Approve - HHVS IFS-SSIS Special Auditor Warrants dated June 5, 2018 in the amount of \$350.71

Approve - HHVS IFS-SSIS Special Auditor Warrants dated June 7, 2018 in the amount of \$1,012.50

Approve – TRIAD HR Consulting grade rating for Legal Secretary, Grade 20 (previously grade 19), effective June 16, 2018.

Receive & file – Rescind appointment of Jared Morrill, Deputy Auditor-Treasurer II, Grade 24, Step 2, effective June 13, 2018.

Receive & file – Appointment of Michael Little, Deputy Auditor-Treasurer II, Grade 24, Step 1, effective June 12, 2018.

Receive & file- Notice of appointment of Judyne Andress Hein, Child Support Supervisor I, Grade 31, Step 2 vacated by Michael Barone, effective June 20, 2018 and receive & file the notice of intent to fill with a budgeted Child Support Officer, Grade 22.

Receive & file - Notice of appointment of Lacy Hill, County Agency Social Worker, Grade 30, Step 1 vacated by Joan Helms, County Agency Social Worker, effective June 20, 2018.

Receive & file - Notice of appointment of Rebecca May, County Agency Social Worker-CPS, Grade 30, Step 2 vacated by Devyn Korkowski, County Agency Social Worker-CPS, effective July 9, 2018.

Receive & file - Notice of appointment of Priscilla Buzzell, County Team Leader, Grade 35, Step 1 vacated by Tonya Heldt, County Team Leader, effective June 20, 2018 and receive & file the notice of intent to fill with a budgeted County Agency Social Worker, Grade 30.

Receive & file – Notice of appointment of Merle Weaver, Highway-Seasonal Maintenance Laborer, Grade 6, Step 4, effective June 20, 2018.

On Sale Intoxicating Liquor including Sunday:

The Boulders – JNH, Inc – Shingobee

Clearwater Lodge – Clearwater Lodge, Inc – Crooked Lake

Big Fish Supper Club & Resort – Hemme Big Fish, LLC – Unorganized

Charlie's Up North, Inc, - Charlie's Up North Inc. – Shingobee

Charlie's Up North Boathouse Bar & Grill – Charlie's Up North, Inc. – Shingobee

Jerry's Bar – Jerry's Bar, Inc. – Boy River (City)

Bites Grill & Bar – Bites, LLC – Wilson

Moondance Jam Saloon – Moondance Jam, Inc – Turtle Lake

On & Off Sale including Sunday:

High Banks Resort – K & R Development, Inc – Unorganized

Lazy Moon Backstage Bar – Moondance Jam, Inc – Turtle Lake

Harriet Club – Pamela Siltman - Barclay

Wine/Strong Beer including Sunday:

Shores of Leech Lake Resort – Mitchell or Mara Loomis - Shingobee

Cass Lake Lodge – Two Balls, Inc – Pike Bay

On Sale 3.2 Temporary:

CLVFD-RA – Crooked Lake Volunteer Fire Department Relief Association – Crooked Lake

Approve – Capital Projects Fund Payments:

Mark Beard \$4,750.00 (HWY Garages, Voter Storage, Deferred Maintenance)

Lakes Gas Co \$1,109.40 (Voter Storage)

Lucachick Architecture \$1,185.00 (Longville HWY)

Martin Mechanical Design Inc \$10,000.00 (Longville HWY)

Widseth Smith Nolting \$487.50 (Longville HWY)

Ziegler Inc \$200.00 (Remer HWY)

RW Electric \$1,475.00 (Remer HWY)

Walker Pipe & Supply \$550.80 (Walker HWY)

Approve – Loren reclassification as recommended by the Cass County Planning Commission at their May 14, 2018 regular meeting.

Award - Trail mowing contract to Northfork Boulders and Excavating for Cut Lake/Hiram: \$1,690.00, Snowflea/Mayo Creek: \$1,090.00, Vermilion/Thunder Hollow/Washburn/Old Grade: \$3,450.00 and Homebrook Walking Trail: \$990.00 not to exceed \$7,220. The trails are located in Thunder Lake, Crooked Lake, South Trelpe and Unorg. Townships.

Receive and File – May 2018 Interest Report

Receive & File - Application for Zoning Reclassification and remand to Cass County Planning Commission to notify and schedule public hearing.

2.b. Change Order for Leech Lake River One Watershed One Plan

Administrator Stevenson reported back from the June 5, 2018 regular Board meeting when a change order for the Leech Lake River One Watershed One Plan was tabled pending additional information. He noted that upon review of the Memorandum of Agreement for this plan, the change order was submitted for approval to the wrong Board. He also noted that the Cass County SWCD is the fiscal agent for this plan and this item was presented at their June 7<sup>th</sup> meeting for consideration. He thanked Commissioners participating on the plans for asking additional questions on the change order and getting it to the correct Board for a decision.

<b>RESULT:</b>	<b>RECEIVED AND FILED</b>
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2.c. Update Guide to Requesting Information from Cass County

Administrator Stevenson provided a draft update to the "Guide to requesting information from Cass County" for Board consideration. He noted that the content of the guide has not changed. He also noted that the only changes to the guide were contact information to note new staff and job duty assignments. He then asked for a motion to approve updates to the "Guide to Requesting Information from Cass County" as presented and to post the same on the Cass County Website.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Neal Gaalswyk, Commissioner
<b>SECONDER:</b>	Scott Bruns, Vice Chair
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

2.d. Reschedule Second Reading of the 2018 Landuse Ordinance Amendments

Administrator Stevenson provided the 2018 Land Use Ordinance Revisions for Board consideration. He noted that the previous 2018 Ordinance Revisions were remanded back to the Planning Commission for revision on June 5, 2018 for edits. He also noted that the Planning Commission made a motion in their June 11, 2018 Regular Meeting to approve the 2018 Ordinance Amendments as submitted. It was also noted that the edits were typos within the document and were changes that were previously submitted to the planning commission but missed in the amendments. He then asked for a motion to reconvene the second reading for the recommended 2018 Land Use Ordinance amendments during the July 3, 2018 regular board meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Peterson, Commissioner
<b>SECONDER:</b>	Dick Downham, Commissioner
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

2.e. Request to be heard

Pat Wintheiser addressed the County Board with a concern regarding group homes in a residential neighborhood. He noted that there were two group homes out of twelve houses in the residential neighborhood in which he resides. He asked the Board for information on who lived in the homes, what the current use is, and if all zoning regulations are being applied. The Board asked staff to follow up with Mr. Wintheiser after the meeting.

3. Kevin Lee - Longville Ambulance Subordinate Service District

3.a. 2018 - 1st Quarter Report

North Memorial Ambulance Manager Kevin Lee of the Brainerd Region presented the 1st quarter 2018 report for the Longville Ambulance Subordinate Service District (LASSD). Mr. Lee informed the Board that the LASSD had Advanced Life Support (ALS) paramedic crews on every shift in Longville during the 1st quarter exceeding the part time ALS requirement. He noted that the LASSD billed 75 patients' vs the budgeted amount of 46. He also noted that their revenues were: \$15,938 favorable to budget due to increased volumes. Their revenue deductions were: 66.8% vs a Budget of 58.9%. Their expenses were: \$4,307 favorable to budget with a margin of 19.3%. Mr. Lee also added that they continue to be active with the Cass County Emergency Services Board. He also reported that their overall satisfaction score is 96.81% with the national average score of 93.60%, and their destination hospitals during 1st quarter are Bemidji -09; Brainerd - 25; Cass Lake - 02; Crosby - 19; Deer River - 07; Grand Rapids - 03; Park Rapids - 01; and AirCare - 07. The Board thanked Mr. Lee for the report.

<b>RESULT:</b>	<b>RECEIVED AND FILED</b>
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4. Sandra Norikane - Chief Financial Officer

4.a. Public Hearing - Liquor License Ordinance

Chairman Kangas opened the public hearing to consider Liquor License Ordinance revisions at 6:24pm. No written comments were received, and no one appeared before the Board to comment as a result of the hearing notice. Chief Financial Officer Sandra Norikane described the amendments presented. She noted that all

proposed changes were to accommodate a proposed Brewery and Taproom request. Chairman Kangas closed the public hearing at 6:26pm. She then asked for a motion to adopt Ordinance 2018-01 Liquor License Regulations for Cass County, Minnesota.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Dick Downham, Commissioner
<b>SECONDER:</b>	Jeff Peterson, Commissioner
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

4.b. Update County Fee Schedule

Chief Financial Officer Sandra Norikane presented changes to the Cass County fee schedule as noted during the public hearings for the liquor license and land use ordinance revisions. She noted that the only fees schedule changes were related to the proposed amendments to ordinances. She then asked for a motion to adopt the updated fee schedule effective July 1, 2018 including license fees for brewer's pub, tap room, and updated 2018 Environmental Services Department fees.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Neal Gaalswyk, Commissioner
<b>SECONDER:</b>	Dick Downham, Commissioner
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

5. Kris Lyytinen - Highway Department

5.a. Resolution to Vacate Road Right of Way

Maintenance Engineer Kris Lyytinen presented a request to vacate Right of Way on former CSAH 42 in Cass County located between State Highway 371 and 8th Street SW. He noted that the landowners have an existing agreement for access. He then asked for a motion to adopt resolution 34-18 vacating Right of Way on former CSAH 42.

Commissioner Peterson offered Resolution No. 34-18 and moved its adoption, Commissioner Bruns seconded:  
Resolution to Vacate County Right of Way

PURSUANT TO MN. STAT. 163.11 Subd.4, it appears to the Cass County Board of Commissioners, State of Minnesota; that a portion of the existing right-of-way for the road hereinafter described should be vacated;

WHEREAS the reconstruction of CSAH 42 located between State Highway 371 and 8<sup>th</sup> Street SW was completed in 1982 which realigned the alignment of CSAH 42, and

WHEREAS it is deemed necessary at this time to vacate a portion of the old CSAH 42 right of way, subject to reservations for existing utility, access easement and public road connections, and

WHEREAS the adjoining property owners have recorded an easement agreement to provide mutual access to their property;

NOW THEREFORE, be it resolved that Cass County Board of Commissioners, State of Minnesota will vacate that part of the old CSAH 42 right of way as described below;

That part of the former County Road right of way over and across those parts of the Southeast Quarter of the Southeast Quarter, Section 12 and the Northeast Quarter of the Northeast Quarter Section 13, all in Township 138 North, Range 30 West, Cass County, Minnesota, described as follows: Beginning at a point on the centerline of said County Road, 33 feet westerly of the northeast corner of said Northeast Quarter of the Northeast Quarter; thence westerly along said centerline 610 feet, more or less, to the northeasterly right of way line of the C.S.A.H. No 42, per the 1980 plans for S.A.P. 11-642-01.

Resolution No. 34-18 was adopted by majority vote: Ayes: Gaalswyk, Peterson, Downham, Kangas, Bruns  
Nays: None

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Peterson, Commissioner
<b>SECONDER:</b>	Scott Bruns, Vice Chair
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

5.b. Award Contract CM 2017-5 Noxious Weed Spraying

Maintenance Engineer Kris Lyytinen presented bids for 2018 noxious weed control. He noted a proposal from B & P Weed Control in the amount of \$28,297.50 and Central Applicators in the amount of \$34,794.80 were received on May 29, 2018. He also noted that the highway department is working with Townships, the Leech Lake Band of Ojibwe, and the USDA Forest Service regarding right of way treatments. He then asked for a motion to award the contract for 2018 Noxious Weed Spraying to B & P Weed Control in the amount of \$28,297.50.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Dick Downham, Commissioner
<b>SECONDER:</b>	Neal Gaalswyk, Commissioner
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

6. Sharon Anderson - Elections Administrator

6.a. 2018 Recount Agreements

Elections Administrator Sharon Anderson presented a 2018 recount agreement with the State of Minnesota for Board consideration. She noted that the agreement was necessary as part of the 2018 election process. She also noted that the State reimbursement does not cover all the expenses associated with a recount. She then asked for a motion to approve the 2018 Recount Agreements with State of Minnesota authorizing the Election Administrator to sign and execute the agreements.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Neal Gaalswyk, Commissioner
<b>SECONDER:</b>	Scott Bruns, Vice Chair
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

6.b. 2018 Election Emergency Plan

Elections Administrator Sharon Anderson presented a 2018 election emergency plan for Board consideration. She noted that an election emergency plan is required by statute. She also noted that the intent of the plan is to provide direction on which neighbor to use in the event that your polling place is unusable during the election. She then asked for a motion to approve the 2018 Cass County Election Emergency Plan for filing with the Minnesota Secretary of State as required by Minnesota Statutes 204B.181.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Peterson, Commissioner
<b>SECONDER:</b>	Scott Bruns, Vice Chair
<b>AYES:</b>	Gaalswyk, Kangas, Peterson, Bruns, Downham

7. Confirm Upcoming Meeting Schedule

- 7.a. Annual Planning Work Session on Friday June 22, 2018, beginning at 9:00 a.m., Land Department Public Meeting Room, Backus, MN.
- 7.b. Commissioner's Board Meeting on Tuesday, July 3, 2018, beginning at 9:00 a.m., Board Room, 1st Floor Crts. Annex, Walker, MN.
- 7.c. Commissioner's Board Meeting on Tuesday, July 17, 2018, beginning at 6:00 p.m., Pine River Township Hall, 3439 14 St. SW, Backus, MN.

8. Adjourn

Chairman Kangas adjourned the meeting at 6:44pm.

SIGNED: \_\_\_\_\_  
Robert Kangas, Chair  
Cass County Board of Commissioners

ATTEST: \_\_\_\_\_  
Joshua Stevenson  
Cass County Administrator