

TRANSCRIPT AND REPORT OF PROCEEDINGS

CASS COUNTY

COUNTY OF CASS

JULY 3, 2018

1. Call to Order

Chair Robert Kangas convened the regular meeting of the Cass County Boards of Commissioners at 9:00 AM on Tuesday, July 3, 2018 with the flag pledge in the Commissioners Board Room, Walker, MN.

1.a

Attendee Name	Title	Status	Arrived
Neal Gaalswyk	Commissioner	Present	8:55 AM
Robert Kangas	Chair	Present	8:55 AM
Jeff Peterson	Commissioner	Present	8:55 AM
Scott Bruns	Vice Chair	Present	8:55 AM
Dick Downham	Commissioner	Present	8:55 AM

<u>NAME</u>	<u>REPRESENTING</u>	<u>NAME</u>	<u>REPRESENTING</u>
Joshua Stevenson	Administrator	Sandra Norikane	Chief Financial Officer
Jim Tuller	Save the Pier	Dennis Ganz	Save the Pier
Steve Hoopman	Save the Pier	Pastor Judy Gustafson	Save the Pier
Tom Burch	Sheriff	Chad Emery	Sheriff's Office
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

- 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 and asked to add an update from the Sheriff's office on equipment as item 4b. He then asked for a motion to approve the agenda with the addition of item 4b.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dick Downham, Commissioner
SECONDER:	Jeff Peterson, Commissioner
AYES:	Gaalswyk, Kangas, Peterson, Bruns, Downham

2. Josh Stevenson - County Administrator

2.a. Consent Agenda

Administrator Stevenson presented the consent agenda for Board consideration. He noted that item q on the consent agenda is a request to adopt Resolution 36-18.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neal Gaalswyk, Commissioner
SECONDER:	Scott Bruns, Vice Chair
AYES:	Gaalswyk, Kangas, Peterson, Bruns, Downham

Approve - Minutes of June 19th, 2018

Approve - Auditor Manual Warrants/Voids/Corrections (Batch 1) dated June 2018 in the amount of \$122,283.91

Approve - Auditor ACH (P1 2018 Tax Settlement 70% Advance) dated June 21, 2018 in the amount of \$4,438,174.34

Approve - Auditor Warrants dated June 21, 2018 in the amount of \$246,872.20

Approve - HHVS IFS Auditor Warrants dated June 15, 2018 in the amount of \$99,811.67

Approve - HHVS IFS-SSIS Auditor Warrants dated June 15, 2018 in the amount of \$203,315.86

Receive & file - Notice of appointment of Danielle Stiller, Case Aide, Grade 20, Step 1, effective July 9, 2018.

Receive & file - Notice of withdraw of acceptance of County Team Leader promotion for Priscilla Buzzell and to remain her current position of County Agency Social Worker.

Receive & file - Notice of appointment of Janice Mehle, County Team Leader, Grade 35, Step 2 vacated by Tonya Heldt, County Team Leader, effective June 25, 2018 and receive & file the notice of intent to fill with a budgeted County Agency Social Worker-CPS, Grade 30.

Receive & File - Notice of probation completion for Susan Ostlund, Eligibility Worker, Grade 22, Step 04, on July 3, 2018.

Receive & File - Notice of probation completion for Chance Buzzell, Eligibility Worker, Grade 22, Step 02, on July 3, 2018.

Receive & file – Notice of Appointment of Trevor Dwire, Jailer, Grade 21, Step 1, effective July 09, 2018.

Wine/Strong Beer:

Long Bow Golf Club – Long Bow Golf Club, LLC – Leech Lake

Hunts Point Gun Club, LLC – Hunts Point Gun Club, LLC – Homebrook

On Sale Intoxicating including Sunday:

Sandtrap Supper Club – Rip's, Inc – Pike Bay

Deer Haven Supper Club – Kovall's Deer Haven, Inc – Thunder Lake

Andersons Horseshoe Bay – Andersons Horseshoe Bay, LLC – Turtle Lake

Off Intoxicating Sale:

The Shadberry – The Shadberry, Inc – Crooked Lake

Hoss All-American Liquor – Trevor Berg – Shingobee

Orton Cass Lake Cenex – Orton Motor, Inc – Pike Bay

On & Off Sale Intoxicating including Sunday:

Anchorage Inn – JL Anchorage – Inguadona

Jakes Beach Grill – Gull Lake Jakes, Inc – Fairview

Jake's Gull Lake – Gull Lake Jakes, Inc – Fairview

Bears Den – Bears Den Family Restaurant & Lounge, Inc – Meadow Brook

BC's Corral – FAMCO, LLC - Woodrow

Off Site- On Sale Intoxicating:

Growlers Gathering (Bears Den) – Gary Dauer - Meadowbrook

Gambling:

Deep Portage Chapter Ruffed Grouse Society – Jerry Lamon – Woodrow

The liquor license listed below are contingent upon proper documentation, fees and taxes, if owing.

Wine/Strong Beer:

Ski Gull – Ski Gull Inc - Fairview

On Sale Intoxicating including Sunday:

The Pub – Pub. LLC – Remer Twp

Approve – Capital Projects Fund Payments:

Anderson Brothers Construction \$305.34 (Walker HWY parking lot)

Hawkinson Construction Co Inc \$84,815.64 (Remer HWY paving less retainage)

Approve - HHVS' 2017-2018 Debt Write Off's of ACS Claims approved by HHVS Advisory Board on June 18, 2018.

Approve – Follow Along Program (FAP) Agreement amendment that extends the time and funding of the agreement from June 30, 2018 to March 31, 2019.

Award - Contract to Anderson Industrial Scales for repairs to the scale deck not to exceed \$24,000. Source of funds is operating budget.

Approve - Travis Fisher to attend the National Association of Pretrial Services Agencies (NAPSA) conference in Fort Worth, Texas to be held August 19-22, 2018.

Authorize – Sheriff to accept donation in the amount of \$62,793.00 from the Lakes Area Dive Team to be used for replacement of a Dive Team Bus.

Authorize – Sheriff to accept donation in the amount of \$900.00 from Sylvan Township for the Lakes Area Dive Team.

Award - Contract for conifer hand release to Mustang Forestry (Anthony Bull) for \$1,800.

Award - Land Department building cleaning contract to North Country Janitorial & Supply, Inc. for \$900.00 per month.

Award – Contract for Project 1 Snoway 1 and Moose Lake Trails-\$8,605.00, Project 2 Green/Fish Lake Trails-\$3,105.00 and Project 5 Bull Moose Trails \$689.00 to Northfork Boulders and Excavating. Award Project 3 Old Grade Trail-\$28,500.00 to Holmwig Excavating and Project 4 Deerfield Trail \$8,000 to Houle Excavating.

Award - Debris removal contract to North Fork Boulders and Excavating at a cost not to exceed \$4,950.00.

Adopt – Resolution 36-18 authorizing the Cass County Sheriff and Cass County Administrator to sign the Joint Powers Agreement on behalf of Cass County for the purpose of participating in the NIBRS program.

Commissioner Gaalswyk offered Resolution No. 36-18 and moved its adoption, Commissioner Bruns seconded:

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF CASS ON BEHALF OF ITS SHERIFFS OFFICE

WHEREAS, the County of Cass on behalf of its Sheriffs desires to enter into a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to receive funding to use to implement an adapter to make its records management system compatible with Minnesota National Incident-Based Reporting System requirements for which the Sheriff's Office is eligible.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Cass County, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Cass on behalf of its Sheriff's Office, is hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.

2. That the Cass County Sheriff -, Tom Burch, or his or her successor, is designated the Authorized Representative for the Sheriff's Office. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the agreement with the State.

To assist the Authorized Representative with the administration of the agreement, Joshua D. Stevenson, County Administrator, is appointed as the Authorized Representative's designee.

3. That Tom Burch, the Cass County Sheriff for the County of Cass, and Joshua D. Stevenson, the County Administrator, are authorized to sign the State of Minnesota Joint Powers Agreement.

Resolution No. 36-18 was adopted by majority vote: Ayes: Gaalswyk, Peterson, Downham, Kangas, Bruns
Nays: None

Receive & file – News release on co-mingled recycling.

Receive & file – 2nd Quarter 2018 litigation report

Refer – 2019 Budget Request from Central MN Council on Aging to Citizens Budget Committee.

2.b. Approve Stipulation of Dismissal Agreement and Re-convene Cartway Hearing

Administrator Stevenson provided an update on the Dorholt cartway petition. He noted that one of the landowners and the petitioner appealed the award of damages. He also noted that the matter was referred to MCIT and the appointed attorney recommended a stipulation of dismissal to remand the matter back to the County Board. He then asked for a motion to approve stipulation of dismissal format and re-convene the Dorholt Cartway hearing on August 7th during the regular County Board meeting beginning at 9:00am in the Commissioners Board room, courthouse annex, Walker MN.

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

2.c. Public Hearing - 2nd Reading - 2018 Landuse Ordinance Revisions

Chairman Kangas opened the public hearing for the 2nd reading of the 2018 Landuse Ordinance revision at 9:04am. No one attending the hearing as a result of the public notice and only one written comment was received. A brief summary of the proposed changes was provided. Chairman Kangas closed the hearing at 9:06am. Administrator Stevenson asked for a motion to adopt the Landuse Ordinance revisions as presented with an effective date 30 days after publication.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dick Downham, Commissioner
SECONDER:	Scott Bruns, Vice Chair
AYES:	Gaalswyk, Kangas, Peterson, Bruns, Downham

3. Request to be Heard - Hackensack "Save the Pier" Committee

3.a. Fund 73 Request

Members of the Save the Pier Committee addressed the Board with a request to increase the commitment of Fund 73 funds to make repairs to the seawall on Birch Lake. It was noted that a change in materials would increase the cost of the repairs but also extend the useful life of the seawall. They then asked for a motion to amend the commitment of Fund 73 funds to the City of Hackensack from \$25,000 to up to \$65,000 for the fishing pier replacement project on Birch Lake as match to local funds.

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

4. Chad Emery - Sheriff's Office

4.a. Report on Storm Damage in Cass County on June 17, 2018

Emergency Management Coordinator Chad Emery provided a summary of recent storm damage to the Board. He noted that heavy rains on June 16th and 17th washed out roads and damaged culverts in the southern part of the County. Area Townships reported damage along with the MNDNR when a lightning strike damaged a well at the Spire Valley Fish Hatchery. He also noted that the combined damage met the State threshold to declare a state of emergency. He then asked for a motion to adopt Resolution 35-18, state of emergency declaration for the June 17th weather event.

Commissioner Gaalswyk offered Resolution No. 35-18 and moved its adoption, Commissioner Peterson seconded:

RESOLUTION DECLARING A STATE OF EMERGENCY

WHEREAS the wind and rain storm impacted the population of Cass County and its cities; and
 WHEREAS the wind and rain storm event has caused a significant amount of public property damage; and
 WHEREAS the Cass County Department of Emergency management requests the Cass County Board of Commissioners to declare Cass County in a STATE OF EMERGENCY for the June 17th event of 2018;
 NOW, THEREFORE, BE IT RESOLVED, that the County Board of Cass Commissioners declares Cass County in a State of Emergency for conditions resulting from the wind and rain event of June 17, 2018.
 Resolution No. 35-18 was adopted by majority vote: Ayes: Gaalswyk, Peterson, Downham, Kangas, Bruns
 Nays: None

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neal Gaalswyk, Commissioner
SECONDER:	Jeff Peterson, Commissioner
AYES:	Gaalswyk, Kangas, Peterson, Bruns, Downham

4.b. Update on Equipment

Cass County Sheriff Tom Burch provide an equipment update to the Board. He noted that the Sheriff's office was able to acquire surplus military equipment including an armored search and rescue vehicle and two Polaris rangers. He also noted that the County was able to acquire the equipment and prep it for use within the existing operating budget for 2018. He thanked Cass County Highway Department staff for getting the equipment ready for use this summer. The Board thanked the Sheriff for the update.

5. Sandra Norikane - Chief Financial Officer

5.a. Class Action Lawsuit - PILT

Chief Financial Officer Sandra Norikane provided information regarding a class action lawsuit to recover additional funds under the Payment in Lieu of Taxes (PILT) Act. She noted that all Counties receiving federal PILT are eligible to participate. She also noted that the amount of federal PILT has been decreasing over the past three years. She then asked for a motion to approve joining the class action lawsuit from the United States Court of Federal Claims for the right to recover additional sums under the Payment in Lieu of Taxes Act for fiscal years 2015, 2016, and 2017, and assign Sandra Norikane, Chief Financial Officer, as Cass County's contact in the matter.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dick Downham, Commissioner
SECONDER:	Scott Bruns, Vice Chair
AYES:	Gaalswyk, Kangas, Peterson, Bruns, Downham

- 6. Confirm Upcoming Meeting Schedule
 - 6.a. 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.
 - 6.b. Commissioner's Board Meeting on Tuesday, August 7, 2018, beginning at 9:00 a.m., Board Room, 1st Floor Crtse. Annex, Walker, MN.

7. Adjourn

Chairman Kangas adjourned the meeting at 9:27am.

SIGNED: _____
Robert Kangas, Chair
Cass County Board of Commissioners

ATTEST: _____
Joshua Stevenson
Cass County Administrator