

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
December 16, 2014**

1A. Board Chairman Bob Kangas convened the regular meeting of the Cass County Board of Commissioners at 10:00 a.m. on Tuesday, December 16, 2014, with the flag pledge, in the Board Room of the Courthouse Annex, Walker, MN. Commissioners present: Downham, Dowson, Gaalswyk, Kangas, and Peterson. Commissioners absent: None.

Others present during portions of the meeting included:

<u>NAME</u>	<u>REPRESENTING</u>	<u>NAME</u>	<u>REPRESENTING</u>
Robert Yochum	Administrator	Larry Wolfe	Chief Financial Officer
John Ringle	ESD Director	Scott Wilson	Cass County HRA
Tim Richardson	Central Services Director	Dave Enblom	Highway Engineer
Sharon Anderson	Auditor-Treasurer	Scott Bruns	Commissioner elect
Josh Stevenson	Land Commissioner	Steven Bilben	Shingobee Connection Trail
Mark Peterson	County Assessor	Penny Vikre	Assessor's Office
Christopher Strandlie	County Attorney	Retta Freeman	ESD
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch
Allan Olson	Cass Lake Times		

1B. M/S/P Downham, Gaalswyk – To approve the agenda items for discussion as presented. Unanimous.

2A. County Administrator Robert Yochum presented to the Board the following matters:

M/S/P Gaalswyk, Dowson – To waive reading and approve the consent agenda. Unanimous.

Approve - Board Minutes of December 2, 2014.

Approve - Auditor manual warrants dated November 26, 2014 in the amount of \$366,697.59.

Approve - Auditor warrants dated November 26, 2014 in the amount of \$22.00.

Approve - Auditor warrants dated November, 2014 (Batch #1) in the amount of \$3,646,868.56.

Approve - Auditor warrants dated November, 2014 (Batch #2) in the amount of \$141,715.26.

Approve - Auditor warrants dated December 4, 2014 in the amount of \$112,362.28.

Receive & file - Monthly Budget Reports.

Approve - HHVS Auditor's warrants dated December 5, 2014 in the amount of \$75,259.17.

Approve - HHVS Commissioner's warrants dated December 5, 2014 in the amount of \$98,715.30.

Approve personnel actions – A. Budgeted positions scheduled for replacement: 1. Receive & file – Proposed court order regarding Cass County Probation Director, Team Leader and Probation Officers in compliance with 2015 Cass County salary table, grade/step and payment plan. 2. Receive & file - Notice of appointment of Mary Graham, Eligibility Worker, Grade 22, Step 1 to fill position vacated by Desiree Larson effective January 5, 2015. 3. Receive & approve - Notice of appointment of Russell Baron, Fiscal Supervisor, Grade 31, Step 4 to fill position vacated by Susan Ostlund effective December 15, 2014. B. Positions scheduled for no replacement at this time: None. C. Other. 1. Receive and file - Notice of probation completion for Travis Bartnick, Resource Manager, Grade 28, Step 2, on December 9, 2014. 2. Receive & file - Notice of probation completion for Robin Borwege, Office Support Specialist, Grade 16, Step 02, on December 9, 2014.

Approve licenses – On & Off Sale 3.2 Beer - All Pine Inn Resort - Richard Anderson, Beulah; Pikedale Lodge - Torey Meyers, Boy Lake. On Sale Intoxicating Liquor including Sunday: The Ranch House - Window Table Hospitality, LLC, Leech Lake. Tobacco - Lake Country Grocery & Liquor- Sara Smith, Crooked Lake; Legacy Courses at Cragun's-Cragun Enterprises, East Gull Lake; The Corner Store & Restaurant- David Alan Sheley, Jr, Powers; The Shadberry - The Shadberry, Inc, Crooked Lake; Pillsbury Junction- Staples Express, Pillager; Long Pine Store - Cynthia Bussian, Ponto Lake. The Tobacco Licenses listed below are contingent upon receiving proper documentation and fees: Madden's on Gull Lake - Madden Brothers, Inc., East Gull Lake; Madden's on Gull Lake / The Classic -Madden Brothers, Inc, East Gull Lake; Riverside Quick Stop - Brenda Green, Federal Dam; Lone Wolf Liquor- Lone Wolf Outpost, Inc, Remer Twp; 64 Stop - Gary Dauer, Meadow Brook; Anderson's Grand Vu - Jeff Anderson, Turtle Lake; Woman Lake Lodge - Jeffrey Burks, Woodrow; Legacy Glassworks, LLC @ Moondance - Josh Wilken-Simon, Turtle Lake.

Authorize - Per diem payment to Board appointed citizen committees for FY2015, in the amount of \$75.00 per day (same as County Board members) and mileage per Personnel Rules & Policies.

Authorize - 3rd quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

Approve - Capital project payments: Mark Beard (Inv.#0020) – Walker Highway Shop upgrades in the amount of \$875.00.

Receive & file - November 2014 EDC Activity Report.

Approve – Payment of Cass County Economic Development Corporation 2015 annual budget support, \$42,500.

Authorize - 25% Fund- \$3,200.00-Environmental education at Deep Portage – WHA School (64 participants) on Dec. 4-5, 2014.

Approve - Request from MDNR to drill a core hole located in the Deep Portage Reserve near the campus area in 32-140-29 Woodrow Township, the data used in the completion of the Cass County Geologic Atlas.

Receive - Approve Rural MN CEP MFIP Contract Addendum (Budget and Measureable Goals) for CY 2015.

Accept - Donation in the amount of \$100.00 for the Veterans Transportation Program from the Am. Legion Post 458, Boy River.

Approve - HHVS Purchase of Service contracts from January 1, 2015 through December 31, 2015: Northland Counseling Center, Inc.; Mark Haugen, PH.D.; John Parkin M.D.; Mark Wildgen, M.D.; Charles Chmielewski, PH.D.; Robin Hewitt, LMFP; Geri Wilimek, LICSW; Jay Wilimek, Ph.D. - No financial changes; Stellher Human Services, Inc. - Individual and Family Skills Training \$62.13, Individual Psychotherapy \$66.12 Family Psychotherapy \$69.60.

Approve - Out of state travel for Hwy. Engineer David Enblom 2015 National Assoc. Co. Engineers – Daytona Beach, FL - Apr.19 - 23, 2015.

Approve - Release of request for proposals to outsource printing and mailing of 2015 tax statements.

- 2B. Mr. Yochum presented a status report on the 2015 Cass County Committee applications to date that included four open citizen appointments on the committees of Bi-County CAP, County Extension Committee, Cass County HRA & the Planning Commission At Large Alternate position.

M/S/P Peterson, Downham - To receive & file the status report of the 2015 Cass County Committee applications, and further to consider all 2015 committee appointments at the regular meeting of Tuesday, January 6, 2015. Unanimous.

- 2C. Administrator Yochum presented Personnel Committee of the Board meeting notes dated December 3, 2014 which included the status of the five bargaining unit 2015 contract negotiations, and the Committee recommendation to continue wage and benefits levels at 2014 levels.

M/S/P Downham, Gaalswyk – To approve the Personnel Committee of the Board recommendation to continue wage and benefits at the 2014 levels (except the previously approved 2015 cafeteria plan contribution), and consider retroactive adjustments as labor negotiations progress. Unanimous.

- 2D. Mr. Yochum presented Leech Lake Liaison Committee meeting notes dated December 2, 2014. ESD Director John Ringle and Leech Lake Band of Ojibwe (LLBO) Environmental/Lands Director Levi Brown explained the Band's offer to be the lead coalition member for a Countywide Brownfield Assessment program that would utilize EPA grant funds.

M/S/P Downham, Peterson – To endorse the Leech Lake Band of Ojibwe Countywide Brownfield Assessment program grant application to the Federal EPA and approve Cass County as a coalition partner with the City of Cass Lake and the Leech Lake Band of Ojibwe. Unanimous.

Administrator Yochum also reported on discussions at the recent Association of MN Counties (AMC) Indian Affairs meeting of December 7, 2014, and the Liaison Committee recommendation of County support for federal school facility funding at Bug-O-Nay-Ge-Shig. County and LLBO staff will present a draft County Board and Tribal Council joint meeting agenda in the near future.

- 3A. ESD Director John Ringle reported that four of the five old corrugated cardboard collection (OCC) contracts will expire at the end the year. Mr. Ringle presented draft contract formats for American Disposal, Inc. (including a rate change), Waste Management of WI-MN, Nisswa Sanitation Inc., and Waste Partners Inc. recommending that the term of the new contracts would be through December 31, 2017. The new OCC contracts would run concurrently with the overall solid waste contracts with Stockman Transfer and the previously approved OCC contract with City Sanitary Service (approved June 17, 2014). Mr. Yochum reported ongoing discussions with Waste Partners, Inc. regarding the form of agreement.

M/S/P Gaalswyk, Downham - To approve the draft form of agreement as presented for recycle cardboard vendor contracts with American Disposal Inc., Waste Management of WI-MN, and Nisswa Sanitation Inc. and further, to table Waste Partners Inc. for additional discussion with the vendor. Unanimous.

- 4A. Chief Financial Officer Larry Wolfe presented a draft the 2015 Cass County budget summary scheduled for publication 12/24/14 contingent upon Board action today. Mr. Wolfe presented Resolution 54-14 establishing individual fund tax levies for 2015.

Commissioner Dowson offered Resolution No. 54 -14 and moved its adoption, Commissioner Gaalswyk seconded:

WHEREAS, A County Board shall conduct a public hearing prior to the adoption of its final property tax levy, and
 WHEREAS, after proper public notice said public hearing was held on December 2, 2014, and
 WHEREAS, M.S. 275.07 requires the County Board to adopt a property tax levy prior to December 30, 2014, and
 WHEREAS, M.S. 275.50 to 275.56 define the levying authority of the County Board, and
 WHEREAS, the 2015 Budget Committee has evaluated said financial information and formulated recommendations.
 NOW, THEREFORE, BE IT RESOLVED: That the Board of Commissioners do hereby approve the following individual fund tax levies for 2015 in the stated amounts:

General Revenue	\$10,135,956
Library	342,336
Road and Bridge	4,254,239
Welfare – PH/SS/VS	4,501,520
Welfare - Public Assistance Administration	1,302,660
Longville Ambulance Subordinate Service District	<u>461,000</u>
Gross Levy	\$20,997,711
Less County Program Aid	<u>(814,742)</u>
Certified Levy	<u>\$20,182,969</u>

BE IT FURTHER RESOLVED: That the Cass County Auditor-Treasurer is hereby authorized and directed to spread the levy on the tax rolls of the County.

Resolution No.54 -14 was declared adopted upon the following vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4B. CFO Larry Wolfe presented Resolution No. 55-14 establishing the 2015 Cass County budgeted revenues and expenditures by fund.

Commissioner Dowson offered Resolution No. 55-14 and moved its adoption, Commissioner Gaalswyk seconded:

WHEREAS, The Board considered the relevant information regarding the 2015 Cass County Budget, and
 WHEREAS, The budget requests, revenue projections, levy data and needs of Cass County have been duly considered.
 NOW, THEREFORE, BE IT RESOLVED: That on the recommendation of the Cass County Budget Committee as amended, the Board of Commissioners do hereby approve the 2015 budget as follows:

	<u>Revenues</u>	<u>Expenditures</u>
General Revenue	19,963,315	19,519,712
Self Insurance	4,900,000	4,900,000
Road & Bridge	11,421,239	11,421,239
Health, Human, & Veterans Services	13,064,615	13,064,615
Unorganized Towns	300,000	300,000
Land Department	3,005,300	3,005,300
Environmental Trust	85,000	85,000
Kitchigami Library	<u>342,336</u>	<u>342,336</u>
Total	<u>53,081,805</u>	<u>52,638,202</u>

details of which are available in the office of the Cass County Chief Financial Officer for public inspection during normal business hours.

Resolution No. 55-14 was declared adopted upon the following vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4C. Mr. Wolfe presented Resolution No. 56 –14 establishing the Unorganized Levy and Revenues/Expenditures.

Commissioner Dowson offered Resolution No. 56-14 and moved its adoption, Commissioner Gaalswyk seconded:

WHEREAS, the Cass County Board of Commissioners acts as township authority for unorganized areas of Cass County and,

WHEREAS, the Cass County Board has considered revenue projections, levy data, and budget needs of the unorganized areas of Cass County for 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners do hereby approve the following tax levy and Budget for 2015 for Cass County Unorganized Townships:

Certified Net Levy	\$245,000.00
Revenue Budget	\$300,000.00
Expenditure Budget	\$300,000.00

Resolution No. 56-14 was declared adopted upon the following vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4D. Mr. Larry Wolfe presented the FY 2014 year end fund transfers.

M/S/P Gaalswyk, Downham - To approve the 2014 year end fund transfers as follows: transfer from Land Department to General Fund for indirect costs \$90,000.00, transfer within the General Fund from ESD Zoning & Solid Waste for indirect costs of \$155,000.00, transfer from HHVS Contingency to General Fund for reimbursement of Sheriff's Department equipment cost of \$6,303.54, transfer from HHVS Fund Balance to Capital Project Fund for future campus capital expenditures \$5,000,000.00. Unanimous.

- 4E. Mr. Wolfe presented the 2015 budgeted capital equipment list and requested authorization for departments to make related purchases based upon solicitation of competitive prices per State law.

M/S/P Downham, Peterson – To approve the 2015 equipment list in the budgeted amount of \$1,515,287.00 and to authorize purchases based upon solicitation of competitive prices pursuant to applicable law, further, that all equipment list technology purchases receive prior approval from the Central Services Director and all other equipment list purchases receive prior approval from the County Administrator or Chief Financial Officer. Unanimous.

- 4F. Mr. Wolfe explained that the September 23, 2014 Insurance Committee meeting included discussion of possibly obtaining an external review of the current County cafeteria plan. Plan review would include comparative data from adjacent Counties, analysis of cash reserves, opinions on the cost of stop loss, and administration, and affordable care act compliance. A review would have an expected completion on or before March 15, 2015. After checking references and cost the recommendation is to engage Arthur J. Gallagher & Company in an amount not to exceed \$7,500.00.

M/S/P Downham, Gaalswyk - To authorize the engagement of Arthur J. Gallagher & Company (Yvonne Johnson, Area Vice President) not exceed to \$7,500 from the Cass County Insurance Fund for review of the Cass County Cafeteria Plan as it relates to other Counties in our market area and any recommended plan modifications. Unanimous.

- 5A. Cass County HRA Executive Director Scott Wilson explained the request for a loan in the amount of \$30,000.00 including the September 24, 2014 HRA presentation to the Citizen Budget Committee, the Citizen Budget Committee favorable recommendation for a loan without a commitment to future funding, a requested promissory note format, and a similar request to Hubbard County. Mr. Wilson stated the necessity for the operating budget loan is the impact of previous Federal sequestration and the instability of Federal reimbursement rates.

M/S/P Gaalswyk, Peterson - To authorize a \$30,000 promissory loan from Cass County fund balance to the Cass County HRA to be re-paid on or before December 16, 2016, and refer future funding options to the Citizen Budget Committee. Ayes: Dowson, Gaalswyk, Kangas, Peterson. Nays: Downham.

- 6A. Highway Engineer Dave Enblom presented bids opened on December 10, 2014 at 2:00 PM for the SAP 011-601-025 Bridge #11530 located over Stony Brook on CSAH #1. Mr. Enblom added that the project is to be funded with State Bridge Bond funds and State Aid regular construction funds.

Project No.: SAP 011-601-025 - CSAH 1

Engineers Estimate - \$408,905.00

<u>Bidder</u>	<u>Bid Amount</u>	<u>OVER/UNDER ESTIMATE</u>
Prahm Construction Inc.	\$422,602.00	3.35% OVER ESTIMATE
Korby Contracting Co Inc	\$455,621.10	11.42% OVER ESTIMATE
Structural Specialties, Inc.	\$457,959.00	12.00% OVER ESTIMATE
Gerit Hanson Contracting	\$466,533.40	14.09% OVER ESTIMATE
Redstone Construction, LLC	\$472,429.00	15.54% OVER ESTIMATE
Robert R. Schroeder Construction, Inc.	\$523,189.90	27.95% OVER ESTIMATE
Duininck, Inc.	\$526,676.00	28.80% OVER ESTIMATE
Swingen Construction Company	\$590,844.80	44.49% OVER ESTIMATE

M/S/P Peterson, Gaalswyk – To award the bid to the apparent low bidder (received on December 10, 2014) for the SAP 011-601-025 Bridge #11530 located over Stony Brook to Prahm Construction Inc. in the bid amount of \$422,602.00. Unanimous.

- 6B. Mr. Enblom and Land Commissioner Josh Stevenson reported back on the December 02, 2014 tabled Shingobee Bike Trail request until receipt of related easements and consultation with Shingobee Township Board. Josh Stevenson & Dave Enblom met with the Shingobee Town Board December 10, 2014. The Town Board recommends that the County accept the two easements to allow moving a 300 foot segment of existing trail off the Township road to adjacent private property in the vicinity of Christmas Point Road.

M/S/P Dowson, Downham – To approve accepting two private property easements from Jon Osowski, and Kenneth Nelsen permitting approximately 300 feet of multipurpose trail use in the vicinity of Christmas Point Road. Unanimous.

Steve Bilben of the Shingobee Bike Trail Task Force explained the benefits of improving the referenced trail easements and participation by others of donated dollars and committed in-kind support. Dave Enblom noted that Shingobee Township will maintain the new bike trail segment under the existing Memorandum dated 2007.

M/S/P Dowson, Gaalswyk – To authorize the Highway Department to make trail improvements as proposed by the Shingobee Connection Trail Task Force not to exceed \$20,000 from Conservation Fund 73. Unanimous.

- 6C. Mr. Enblom summarized a request from the Leech Lake Band of Ojibwe to allow dual language of English and Ojibwe on some information road signs. The signs would be green and white information signs giving direction to community centers or other geographic areas of local interest. Signs would be limited to county roads located within the tribal boundary. If approved a Memorandum of Agreement would be processed to identify each agencies obligations, and that the Leech Lake Band would pay for the costs of the signs. Mr. Enblom also added that Carlton and St. Louis Counties have erected similar the informational road signs.

M/S/P Downham, Dowson – To approve the MOU with the Leech Lake Band of Ojibwe as presented establishing bilingual informational road signs in English and Ojibwe languages for geographical and cultural purposes within the Leech Lake Reservation. Unanimous.

- 6D. Mr. Enblom requested the Board to add to the agenda a recent request by the Leech Lake Band of Ojibwe for support of the project a Phase II TAP Project (Bena Trail). The proposal is to construct a trail from Tribal housing (Phase 1) to CSAH 91 (Big Winnie Road). The Band request is to support the application for funding through MNDOT and agree to amend the existing fiscal agent MOU on Phase I TAP Project – Bena Trail to include a Phase II if funded.

M/S/P Downham, Gaalswyk – To amend the agenda, to support the application for funding of Phase II TAP Project (Bena Trail) through MNDOT, and to agree to amend the existing fiscal agent MOU on Phase I TAP Project – Bena Trail to include a Phase II if funded. Unanimous.

- 7A. Central Services Director Tim Richardson presented the 2015 capital maintenance program proposing to allocate budgeted funds not to exceed \$100,000.00 for twelve maintenance projects in 2015.

M/S/P Gaalswyk, Peterson – To approve the 2015 capital maintenance program as presented, further, that all projects will be evaluated for competitive pricing and all related contracts contingent on Board approval for projects over \$10,000.00. Unanimous.

- 8A. Auditor-Treasurer Sharon K. Anderson presented the November investment report with revenues totaling \$841,032.61, discussed the year end projections, presented an update on the portfolio and reported a pending review of investment policies. No action required at this time. .

- 8B. Ms. Anderson discussed the 2014 general election. Statewide statistics provided by the Secretary of State's Office now reflect turnout as a percent of eligible voters. Cass County is estimated to have 4,480 individuals that are eligible to register but are not. Absentee ballots were up 30% over the 2010 mid-term election under the new no excuse needed provisions. Absentee voting location activity and mail ballot precincts statistics were also presented including a report to the Leech Lake Band. Auditor-Treasurer Anderson requested a committee to pursue replacement of tabulators in preparation for the 2016 elections.

M/S/P Gaalswyk, Peterson – To establish an Ad Hoc Committee to study replacement of tabulators for the 2016 election: Auditor-Treasurer Sharon Anderson, Commissioner Neal Gaalswyk, one city representative, and two township representatives. Unanimous.

9. County Administrator Yochum confirmed the upcoming meeting schedule: a. Commissioner's Board Meeting on Tuesday, January 6, 2015, beginning at 9:00 a.m., Board Room, 1st Floor Crtse. Annex, Walker, MN; Commissioner's Board Meeting on Tuesday, January 20, 2015, beginning at 9:00 a.m., Land Department Meeting Room, Backus, MN.

10. M/S/P Downham, Kangas – To present Commissioner Jim Dowson a Certificate of Appreciation acknowledging his 48 years of service to Cass County. Unanimous.

Levi Brown, Leech Lake Band Environmental/Land Director presented a handcrafted birch bark box thanking Commissioner Dowson for his service on the County/Tribal Liaison Committee

Commissioner Dowson thanked everybody and made an eloquent speech.

11. Chairman Kangas adjourned the meeting at 11:56 a.m.

SIGNED: _____
Bob Kangas, Board Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator