

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
January 20, 2010**

- 1A. Chairman Demgen convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, January 20, 2010, with the flag pledge, in the Land Department Meeting Room, Backus, MN. Commissioners present: Demgen, Downham, Dowson, 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	Paul Fairbanks	County Planner-ESD
Sharon Anderson	Auditor-Treasurer	David Enblom	Highway Engineer
Christopher Strandlie	County Attorney	Mike Wetzel	Self
Terri Bjorklund	City of Walker	John Warren	CAH Task Force
Kelly Felton	Working Together Coalition	LeeAnn Sampson	Working Together Coalition
Gail Leverson	Cass County EDC	Gail DeBoer	Pilot Independent

- 1B. M/S/P Kangas, Peterson - To approve the agenda items for discussion as presented and move Item 2A.15 (Receive & file Eelpout Festival plan response) to Item 2C. add Item 2A.38 (Approve appointment of Ken Kostial to serve as a Planning Commission alternate - Commissioner District 3), add Item 5C. (Update on Planning Commission reorganization), add Item 8A. (County Attorney discussion - Eelpout Festival Plan), and add Item 8B. (Cass County EDC - Health Care Campus project). Unanimous.

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

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

Approve - Board Minutes of December 30, 2009, and January 5, 2010.

Approve - (Batch#1) Manual warrants dated December 31, 2009 in the amount of \$8,722,734.17.

Approve - (Batch #2) Manual warrants dated December 31, 2009 in the amount of \$46.00.

Approve - HHVS Auditor's warrants dated December 24, 2009 in the amount of \$425.00.

Approve - Auditor warrants dated December 30, 2009 in the amount of \$504.00.

Approve - Auditor warrants dated December 30, 2009 in the amount of \$115,924.56.

Approve - HHVS Auditor warrants dated December 31, 2009 in the amount of \$185.00.

Approve - HHVS Commissioner warrants dated December 31, 2009 in the amount of \$46,883.39.

Approve - HHVS Auditor warrants dated December 31, 2009 in the amount of \$39,725.06.

Approve - Auditor warrants dated January 7, 2010 in the amount of \$932,093.74.

Approve - HHVS Auditor warrants dated January 8, 2010 in the amount of \$48,791.33.

Approve - HHVS Commissioner warrants dated January 8, 2010 in the amount of \$42,143.96.

Receive & file - Monthly Budget Reports.

Approve Personnel items - A. Receive and File - movement of Bobbi Fadness, Social Worker, to the open budgeted Adult Mental Health Social worker position, no change in grade or step. B. Positions scheduled for no replacement – Bobby Fadness vacancy on hold to evaluate MFIP options (scheduled to end December 2010). C. Other - Receive and file - Notice of Probation completion for Kathleen Ramos, Veterans Services Officer, effective January 18, 2010.

Receive & file - Auditor-Treasurer's Interest Income Report for November, 2009.

Approve - Pay request Invoice #8764 for AGC Re-Use Project to Landecker & Associates, Inc. in the amount of \$900.00. (capital fund).

Receive & file - Per diem rate for Cass County Jail Inmate housing at the Crow Wing Jail in the amount of \$46.99/day.

Authorize - Financial contribution for FY2010 to the Cass County Economic Development Corporation in the amount of \$16,875.00.

Authorize - 4th quarter Longville Ambulance Subordinate Service District payment in the amount of \$88,250.00.

Approve - Appointment of William Walter as alternate to the Planning Commission (Commissioner District 5), Mr. Walter's term will end on December 31, 2011.

Approve - Appointment of Commissioner Jeff Peterson as an alternate to Commissioner Bob Kangas on the Kitchigami Regional Library Board.

Approve – City of Deer River (\$14,193.00/yr) and City of Remer (\$842.67/yr) fire contracts for Unorganized Townships from Jan. 1, 2010 – Dec. 31, 2010.

Approve - Distribution of Chippewa National Forest 25% Fund payment for 2009 in the amount of \$466,552.87.

Approve - W/H Transfer Site Management/Operation Agreement with Larry Overcash January 1, 2010 – December 31, 2010.

Approve - HHVS first payment to the Collaborative Board for Family Center use at \$37,500 and \$12,500 for mental health services, and to place the remaining 50% in contingency for possible distribution during third quarter 2010.

Approve - HHVS host county 2010 Purchase of Service Agreement with First Step Walker for outpatient Chemical Dependency Treatment.

Approve - HHVS host county 2010 Purchase of Service Agreement with First Step Backus for inpatient Chemical Dependency Treatment.

Approve - David Johnson easement transfer #10-6-143-31-02 in Gov't Lots 1 & 2, Sec. 6, Twp 143 North (Leech Lake Twp.), Range 31 West.

M/S/P Dowson, Kangas - Award the Demo Contract for Site #1 - PIN# 85-016-4101Tax Forfeited property located at 15795 61st Ave NW Cass Lake, MN; Site #2 - PIN# 85-341-0950 Tax Forfeited property located at 26 Neils Ave NE E Cass Lake, MN; Site #3 - PIN# 83-337-2410 Tax Forfeited property located at 31 Fourth St W, Bena, MN; Site #4 - PIN# 83-337-0650Tax Forfeited property located at 131 First Ave E, Bena, MN to Kurt Sawyer & Tyler Crow not to exceed \$12,175.00; Award abatement contract for Site #3 - PIN# 83-337-2410 Tax Forfeited property located at 31 Fourth St W, Bena, MN; to Grivette Environmental not to exceed \$1,860.00; and further to award the abatement contract on Site #4 - PIN# 83-337-0650Tax Forfeited property located at 131 First Ave E, Bena, MN to MAVO not to exceed \$1,200.00. Unanimous.

<u>Bidder</u>	<u>Site 1</u>	<u>Site 2</u>	<u>Site 3</u>	<u>Site 4</u>	<u>Site3</u>	<u>Site 4</u>
	(Demo)	(Demo)	(Demo)	(Demo)	(Abatement)	(Abatement)
Grivette Environmental	NA	NA	NA	NA	\$1,860.00	\$1,490.00

American Disposal	NA	NA	\$6,200.00	\$13,750.00	NA	NA
Storlie Construction Co.	\$5,800.00	\$2,950.00	\$8,600.00	\$12,400.00	NA	NA
Reierson Construction	\$10,220.00	\$12,860.00	\$25,380.00	\$39,566.00	NA	NA
MAVO	NA	NA	NA	NA	\$2,250.00	\$1,200.00
Kurt Sawyer & Tyler Crow	\$1,800.00	\$975.00	\$3,200.00	\$6,200.00	NA	NA

Approve - Re-appointment of Mike Wetzel and Bill Fitch to the Backus Joint Airport Zoning Board as Cass County citizen representatives for the year 2010.

Refer - Timber Trespass Policy to a Committee of the Board (Commissioners Kangas, and Peterson).

Approve - Resolution No. 06-10 Paul Bunyan Grant In Aid (GIA)(144-17-0050) Trail grooming and resolution assisting Wadena County GIA Snowmobile Trail System.

Commissioner Dowson offered Resolution No. 06-10 and moved its adoption, Commissioner Kangas seconded:

BE IT RESOLVED, the board of Commissioners of Cass County, Minnesota, hereby approves application for grant-in-aid for snowmobile trail, Paul Bunyan, to be groomed and maintained from October 1, 2009 through September 31, 2014.

BE IT RESOLVED, the Chairman and County Auditor are hereby authorized to sign agreements whereby Cass County will act as sponsoring agent.

Resolution No. 06-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, and Peterson. Nays: None.

Approve – Resolution No. 07-10 applications for the 2009-2010 grant-in-aid assistance for Snowmobile Trails - Wadena Trail Breakers

Commissioner Dowson offered Resolution No. 07-10 and moved its adoption, Commissioner Kangas seconded:

BE IT RESOLVED, that Board of Commissioner of Cass County, Minnesota, hereby approved applications for the 2009-2010 grant-in-aid assistance for:

Snowmobile Trails

- Wadena Trail Breakers

BE IT FURTHER RESOLVED, the Chairman and County Auditor are hereby authorized to sign agreements whereby Cass County will allow grooming and maintenance of trails that cross County Administered Land.

Resolution No. 07-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

Approve - Pay request #16 for AGC Re-Use Project to Landwehr Construction Inc. in the amount of \$53,798.50. (capital fund).

Approve - Pay request #8 for AGC Re-Use Project to Young Excavating, Inc. in the amount of \$54,743.94 (including retainage reduction from 5% to 3%) - capital fund.

Approve – Change Order # 5 in the amount of \$0.00, for AGC Re-Use Project to Young Excavating, Inc. (capital fund).

Approve - Out of state travel for Highway Engineer Davie Enblom to attend National County Engineers Conference in Fort Worth, TX, April 24-31, 2010.

Approve - Appointment of Ken Kostial as an alternate to the Planning Commission (Commissioner District 3), Mr. Kostial's term will end on December 31, 2012.

- 2B. John Warren, Critical Access Hospital (CAH) Task Force Chair discussed with the Board the collaboration of efforts over the last five years to develop a portion of the Ah-Gwah-Ching property into a health care campus. Mr. Warren reported that the CAH Task Force had met last month and concluded that its work on behalf of the area has been completed and that the project leadership must now be assumed by another entity such as the Cass County Economic Development Corporation, health care providers, a community health care foundation or perhaps a hospital district. Mr. Warren recommended to the Board that the CAH Task Force be dissolved.

M/S/P Downham, Dowson – To approve the recommendation that the Critical Access Hospital Task Force be dissolved and further to present John Warren a Certificate of Appreciation for his dedicated service to the Critical Access Hospital Task Force. Unanimous.

- 2C. Sharon Anderson Auditor-Treasurer reported to the Board the repeated attempts to contact Eelpout Festival promoter Jim Gerchy per Board action of Tuesday, January 5, 2010. Ms. Anderson also indicated that the County offered to assist in preparing a written plan for the upcoming Eelpout Festival.

M/S/P Kangas, Dowson – To table discussion of the Eelpout Festival until later in the meeting when the County Attorney is scheduled to arrive. Unanimous.

- 3A. Highway Engineer David Enblom requested permission to purchase a used 2007 Model Caterpillar 12H grader off the state bid contract (with 1,500 hours, full standard warranty). Mr. Enblom reported a savings of \$24,318. compared to buying the same unit new.

M/S/P Peterson, Kangas – To authorize purchase of a used 2007 Model Caterpillar 12H grader (with 1,500 hours, full standard warranty) purchased from the "State Bid" in the amount of \$186,235.00 (including sales tax). (Unanimous.

- 3B. Mr. Enblom presented the 2010 Cass County Highway Construction Projects and requested authorization to advertise for upcoming projects.

M/S/P Kangas, Dowson – To approve the 2010 Cass County Highway Construction Projects - S.P. 11-596-03 and 07(Sucker Bay Road Stimulus and Forrest Hwy projects),SAP 11-635-02(CSAH 35 paving along with maintenance paving on CSAH 34 and CR 106), SP 11-601-17 (CSAH 1 Reconstruction), CP 2010-1(155) (Paving of CR 155), SAP 11-677-12(CSAH 77 Overlay), SAP 11-611-04 (Overlay of CSAH 11), CP 2008-2(163) (Pave shoulders of CR 163 for bicycle traffic),SP 11-070-02 (Edge Stripe enhancement safety project), CM 2010-3(Big Leech Road paving). Unanimous.

4A. State Representative John Persell (District 4A) explained to the Board that he had a previous engagement and therefore missed the Tuesday, January 5, 2010 Board Meeting discussion of the upcoming MN Legislative Session. Representative Persell emphasized the need for ongoing contact with the Board of Commissioners especially during the legislative session. The Board thanked Representative Persell for his attendance and his insight on 2010 legislative initiatives. No action necessary.

5A. ESD Director John Ringle and County Planner Paul Fairbanks explained that Land Use Ordinance revisions modified the land use district map reclassification process with a conditional use permit process initially heard by the Planning Commission. Mr. Fairbanks presented a summary a related Planning Commission actions in 2009. Director Ringle requested the Board to approve the results reported in the summary. The Board requested an update on the coordination of Township Zoning with County Zoning.

M/S/P Dowson, Peterson – To accept the Planning Commission actions as presented and approve the 2009 land use district map revisions. Unanimous.

5B. Mr. Ringle requested approval to end water sample testing analysis by the Cass County ESD staff and refer testing to State of MN certified vendors in the area.

M/S/P Dowson, Kangas – To end the Cass County ESD water sample testing program and to refer testing to State of MN certified vendors in the area. Unanimous.

5C. John Ringle and Paul Fairbanks updated the Board on the Planning Commission reorganization including: Susan Sundberg – Chairperson, Jim Ballenthin – Secretary, field inspections will be held the first Monday of each month, regular meetings will be held the second Monday of each month (convene at 10:00 a.m). The Board thanked Mr. Ringle and Mr. Fairbanks for the update. No action necessary.

6A. Kelly Felton and LeeAnn Sampson from the Working Together Coalition Alcohol, Tobacco, and Other Drug Program (ATOD) which promotes healthy families and individuals through reducing ATOD use by youth and abuse by adults. Funding has been provided by a grant from the MN Department of Human Services, Alcohol and Drug Abuse Division (July 1, 2006 through June 30, 2011) to work with the Pine River-Backus School District. Recently ATOD has also been awarded a Drug Free Community Grant that will expand programs to the Walker-Hackensack-Akeley and Northland Community School Districts. The Board thanked Ms. Felton and Ms. Swanson for the update and complimented their results to date. No action necessary.

7A. Administrator Yochum confirmed upcoming meeting schedule:

M/S/P Dowson, Downham – To establish the 2010 summer schedule for Cass County Board of Commissioner Board Meetings and authorize public hearings at the same regarding revocation of county road status within the affected townships: District #2 - Tuesday, May 18, 2010, Wilson Township Hall, 3990 16th Ave. SW, Pine River; District #3 – Tuesday, June 15, 2010, Ponto Lake Township Hall, 1538 State 84 NW, Backus, MN; District #4 – Tuesday, July 20, 2010, Turtle Lake Township Hall, 4196 72nd St. NW, Walker, MN; District #5 – Tuesday, August 17, 2010, Slater Township at Remer Depot 104 Main Street West, Remer, MN; and District #1 – Tuesday, September 21, 2010, East Gull Lake City Hall, 10790 Squaw Point Road, East Gull Lake, MN, all Board Meetings will to begin at 6:00 p.m. Unanimous.

8A. The Board discussed with County Attorney Christopher Strandlie the lack of response from Eelpout Festival promoter Jim Gerchy. The Board also discussed other permits that may be required related to the Eelpout Festival from the City of Walker, the Cass County Sheriff's Office, the Cass County Auditor-Treasurer and the MN DNR.

M/S/P Dowson, Downham – To request the County Attorney's Office to invite related parties (Eelpout Festival promoter Jim Gerchy, City of Walker, the Cass County Sheriff's Office, Cass County Auditor-Treasurer and the MN DNR) to discuss the Eelpout Festival and the applicability of Cass County Mass Gathering Ordinance at the Tuesday, February 2, 2010 regular Board Meeting. Unanimous.

8B. Gail Levenson, Executive Director of the Cass County Economic Development Corporation discussed the Economic Development Corporation's interest in assisting with AhGwahChing Health Care Campus Project. The Board thanked Ms. Levenson. No action required.

8C. Chairman Demgen adjourned the meeting at 11:05 a.m.

SIGNED: _____
Jim Demgen, Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator