

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
March 2, 2010**

- 1A. Chairman Demgen convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, March 2, 2010, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Demgen, Downham, Dowson, and Peterson. Commissioners absent: Kangas.

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
Ane Rogers	HHVS Director	Renee Lukkason	HHVS
Marlee Morrison	HHVS	Jamie Richter	HHVS
Dave Enblom	Highway Engineer	Kris Lyytinen	Highway Engineer
Bob Kovanen	County Surveyor	Josh Stevenson	Land Commissioner
Randy Fisher	Sheriff	Tom Burch	Chief Deputy Sheriff
Bert Woodford	Jail Administrator	Kathy Kresien	County Attorney's Ofc.
Jodi DeSkeere	County Probation	Jim Schneider	County Probation
Victor Moen	Dept of Corrections	Aaron Schueller	Dept. of Corrections
Brad Mesenbrink	Dept. of Corrections	Jill Welk	Dept of Corrections
Gail Levenson	Cass Co. EDC	Rod Schloesser	Crooked Lake Twp.
Allan Olson	Cass Lake Times		

- 1B. M/S/P Downham, Peterson - To approve the agenda items for discussion as presented and the addition to Item 2C. (House File #2779 ARMER sales tax), and Item 5D. (Sheriff Randy Fisher notification of retirement). Unanimous.

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

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

Approve - Board Minutes of February 16, 2010.

Approve - Auditor warrants dated February 18, 2010 in the amount of \$123,560.20.

Approve - Auditor warrants dated February 19, 2010 in the amount of \$204,932.87.

Approve - HHVS Auditor warrants dated February 19, 2010 in the amount of \$60,748.15.

Approve - Auditor warrants dated February 24, 2010 in the amount of \$178,553.64.

Approve - Auditor warrants dated February 24, 2010 in the amount of \$681.00.

Approve - Personnel Items - A. Budgeted positions scheduled for replacement - Receive and file - Hiring of Jennifer Bloomstrom, to fill budgeted Public Health Nurse Position, Family Health Unit, grade 32, step 1, effective March 29, 2010.

Approve licenses – Off Sale Intoxicating Liquor - Corner Store Express, Inc., Corner Store Express, Inc., Sylvan. On & Off Sale 3.2 Beer- Red Wing Lodge, Kyle Benjamin, Turtle Lake. Gambling - Crooked Lake Volunteer Fire Fighters Relief Association (CLVFFRA) @ Narrows on Roosevelt, Brian Olds, Crooked Lake; CLVFFRA @ Lake Country Grocery & Liquor - Brian Olds, Crooked Lake; Muskies Inc Twin Cities Chapter 35436 three day event @ Moondance - Troy Zeulzke, Turtle Lake; Muskies Inc Twin Cities Chapter 35436 @ Moondance - Troy Zeulzke, Turtle Lake; Young at Heart Senior Club – June 17, July 10, July 24, August 1, 2010, Maryjane K Lewis, Kego. Lawful Assembly - (Both Jams are contingent upon The Law Enforcement Contract) - Moondance Country Jam (June 16th – 19th), Bill Bieloh, Turtle Lake. Moondance Jam - Bill Bieloh, Turtle Lake.

Receive & file - Correspondence on PRASD - MN Public Facilities Authority Loan Repayment in the amount of \$41,668.38.

M/S/P Peterson, Dowson – To approve quotes to plant approximately 155,000 trees to Superior Forestry Services, Inc. in the amount of \$54.87/thousand trees. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Superior Forestry Services, Inc.	\$54.87/thousand trees
Drennen Forestry Services, Inc.	\$63.15/thousand trees

M/S/P Peterson, Dowson – To approve quotes to shear 10 acres of 25 year old aspen regeneration to Sawyer Timber in the amount not to exceed \$1,800.00 contingent upon notification to begin work under the Conservation Partners Legacy Grants Program. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Sawyer Timber	\$1,800.00
Gary Sexton	\$3,000.00
Raymond Schrupp	\$6,000.00
Kurt Sawyer	\$4,800.00

Receive and file - ISTS program report on low-interest septic system (ISTS) loans originating from and processed by Region Five.

Approve – Resolution No. 13-10 Accepting a VSO Enhancement Grant for transportation from the MNDVA (#B38991) in the amount of \$16,000.00.

Commissioner Peterson offered Resolution No. 13-10 and moved its adoption, Commissioner Dowson seconded:

BE IT RESOLVED by Cass County that the County enter into the attached Grant Contract with the Minnesota Department of Veteran Affairs (MDVA) to conduct the following Project: CVSO Veterans Service Enhancement Project. This grant must be used to enhance the operations of the County Veteran Service Office under Minn. Stat. §197.608 Subd. 4 (a), and should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by Cass County that the County Veterans Service Officer, Kathleen J. Ramos be authorized to execute the attached Grant Contract for the above mentioned Project on behalf of the County.

Resolution No. 13-10 adopted by majority vote: Ayes: Demgen, Downham, Dowson, Peterson. Absent: Kangas. Nays: None.

Accept - Donation in the amount of \$2,000.00 from Turtle Lake Township for the Cass County Sheriff's Office - Lakes Area Dive Team.

Receive and file - Monthly HHVS Cash Accounts Report to date, January 31, 2010 in the amount of \$8,444,221.

Approve - HHVS agreement with the Minnesota Department of Health for ARRA Stimulus (CFDA#93.712) funds to target activities aimed at promoting adolescent and adult vaccinations, \$9,069, effective upon a fully executed contract through June 30, 2010.

Approve - HHVS Independent Contract with Leslie Staker, as SHIP Coordinator at \$26.50/hour effective March 3, 2010 - June 30, 2011.

Approve and authorize - Sheriff to execute the Law Enforcement agreement with US Dept. of Agriculture/Chippewa National Forest from May 1, 2010 - September 30, 2010.

Approve - Assessor's Office Abatements - Lyle Fleisher - Byron, Class Change-2009/2010; Larry Knight/Patricia Yager-Turtle Lake, Cancel Lease-2008/2009; Larry Knight/Patricia Yager - Turtle Lake, Cancel Lease-2009/2010

Approve - Resolution No. 12-10 directing County Attorney to resolve litigation - LeMire vs. Cass County.

Commissioner Peterson offered Resolution No. 12-10 and moved its adoption, Commissioner Dowson seconded:

BE IT RESOLVED, the Cass County Board of Commissioners does hereby direct the Cass County Attorney to resolve litigation regarding the LeMire vs. Cass County, et al., pursuant to discussion held in closed session of Tuesday, February 2, 2010.

Resolution No. 12-10 adopted by majority vote: Ayes: Demgen, Downham, Dowson, Peterson. Absent: Kangas. Nays: None.

Receive & file - Timber auction results of February 25, 2010 totaling 5,498 cords in the amount of \$113,178.00.

- 2B. Administrator Yochum summarized the Personnel Committee of the Board (Demgen, Dowson) meeting of Tuesday, February 16, 2010. Items discussed were the AFSCME Courthouse Unit seniority list grievance and the County Assessor recruitment schedule. Mr. Yochum reported receipt of correspondence dated February 25, 2010 from AFSCME Council #65 withdrawing the seniority list grievance. The County has received four applications for the County Assessor position and tentatively interviews are scheduled for Monday, March 22, 2010 and a recommendation to the full Board at the Tuesday, April 6, 2010 regular Board Meeting.

M/S/P Downham, Dowson - To receive & file the February 25, 2010 notification from AFSCME Council #65 that the Courthouse Unit seniority list grievance has been withdrawn. Unanimous.

- 2C. Administrator Yochum presented the Association of MN Counties redesign proposal (PACT: Partnership, Accountability, Creativity, Transparency: "Renewing the Commitment to Minnesota"). The 10 point legislative plan proposed alternatives to present service delivery and the estimated savings to State budget. Mr. Yochum indicated that opportunities to share any Board comments include the March 16, 2010 conference call with the Cass County State delegation or the AMC Legislative meeting March 24, 2010 in St. Paul.

M/S/P Peterson, Downham - To table the AMC redesign proposals until the Tuesday, March 16, 2010 regular Board Meeting so as to provide an opportunity for comments from related Cass County departments. Unanimous.

Administrator Yochum presented MN House File No. 2779, a bill that relates to taxation; sales and use; expanding the exemption for public safety radio systems by amending MN Statutes 2008, Section 297A.70, Subd. 8. Administrator Yochum explained that the bill would extend a sales tax exemption previously granted to MN metropolitan counties to the balance of the State when purchasing ARMER 800MHz radio system equipment after June 30, 2010. The estimated savings to Cass County would be a minimum of \$275,000.00.

M/S/P Downham, Dowson - To establish a legislative position supporting the adoption of MN House File No. 2779, a bill that would extend a sales tax exemption previously granted to MN metropolitan counties to the balance of the State when purchasing ARMER 800MHz radio system equipment after June 30, 2010. Unanimous.

- 2D. Administrator Yochum reviewed the status of the 2010 budget contingency plan of \$500,000. Mr. Yochum reported that the current unallotment proposal in the Governors supplemental budget would reduce 2010 budgeted State funds by at least \$910,445. An estimate of each of the activities in the adopted contingency plan was provided indicating that year end savings may reach \$758,400. leaving a minimum \$115,055. in additional budget reductions.

M/S/P Dowson, Downham - To approve amending the 2010 budget contingency plan target to a minimum of \$910,445, to authorize implementation of pending actions in the adopted 2010 contingency plan, and to request County departments to identify a minimum of \$155,055 additional 2010 budget adjustments by the April 06, 2010 regular Board meeting. Unanimous.

- 3A. HHVS Director Ane Rogers presented the Child Placement Costs for January 2010, in the amount of \$205,876.

M/S/P Peterson, Downham - To receive and file the Child Placement Costs for January 2010, in the amount of \$205,876. Unanimous.

- 3B. Ms. Rogers presented the 2009 Health, Human, and Veterans Services outcomes and the 2010 HHVS Goals. The Board complimented the Department on their efforts.

M/S/P Downham, Dowson - To receive and file the report on 2010 HHVS Goals as presented. Unanimous.

- 3C. Ms. Rogers presented an update on the Statewide Health Improvement Program (SHIP): The related contract with the MN Department of Health was fully executed on December 25, 2009; Leslie Staker has been approved on this agenda as the independent contractor for SHIP Coordination effective March 3, 2010 - June 30, 2011; The Community Leadership Team has conducted their initial community assessments with the four required grant settings - worksites, schools, community and health care; Interventions were chosen based on needs of the population - regarding tobacco and obesity; Phase 2 implementation documents were due to MDH on March 1, 2010 and have been submitted; Phase 1 planning closes March 30, 2010; Initial implementation starts April 1, 2010, and full implementation by July 1, 2010. No action necessary.

- 3D. HHVS Director Rogers presented a summary of Cass County Emergency Planning and Response to the 2009 - 2010 H1N1 influenza season. Since August of 2009 the Public Health Unit managed hundreds of State and Federal updates, coordinated local training and conducted mass clinics (3,010 doses of vaccine, 1,312 staff hours, and 1,396 staff miles). Cooperation from the school districts, other community locations, and the local media was excellent. If needed in a future emergency mass clinics could be implemented within 24 hours. Director Rogers specifically acknowledged the leadership of supervisor's Jamie Richter, and Renee Lukkason, and PHN Nurse Marlee Morrison.

M/S/P Demgen, Downham – To receive and file the HHVS report, and further, present a certificate of appreciation to the Public Health Unit in recognition of the planning and response to the 2009 - 2010 H1N1 influenza season. Unanimous.

- 3E. Ms. Rogers presented county health rankings published by the University of Wisconsin. Cass County ranked 81 out of 85 MN counties in mortality (length of life), 83 out of 85 MN counties in morbidity (quality of life). Director Rogers explained the study methodology and the health factors utilized as indicators. The Board thanked Ms. Rogers for the update.

- 4A. Minnesota Department of Corrections District Supervisor Victor Moen presented a 2010 -2011 Community Action Plan for the Grand Rapids District. Mr. Moen explained the services the DOC provides and discussed Cass County statistical data. Also attending were DOC staff: Career Agent Jill Welk, Senior Agent Brad Mesenbrink, and Enhanced Sex Offender Senior Agent Aaron Schueller. Each agent described their program's focus and supervision strategy. The Board thanked the MN DOC for the report.

- 5A. Sheriff Randy Fisher and Jail Administrator Bert Woodford explained the 2009 Bi-Annual Jail Inspection. All action items are completed or underway. No Board action necessary.

- 5B. Sheriff Fisher requested approval to accept a grant from the MN Office of Public Safety (#9600000234) in the amount of \$125,000.00 for the Public Safety Answering Point Consolidation Study that will document dispatch communication and shared CAD/RMS system alternatives for Aitkin, Cass, Crow Wing, and Itasca Counties and the Leech Lake Reservation. In addition, the Sheriff requested authorization to act as the grant fiscal agent and advertise Requests For Proposals on behalf of the PSAP Consolidation Study Group.

M/S/P Dowson, Downham – To authorize the Board Chairman and Sheriff to execute the State of Minnesota Grant Contract (#9600000234) with the MN Department of Public Safety, Emergency Communication Networks Division, to authorize the Cass County Sheriff's Office to act as grantee for the PSAP Consolidation Study Initiative with Aitkin, Cass, Crow Wing, Itasca Counties and the Leech Lake Reservation, and further to authorize advertisement of Requests For Proposals on behalf of the PSAP Consolidation Study Group. Unanimous.

- 5C. Sheriff Fisher presented a proposed project management proposal from GeoComm for professional services related to implementation of the Allied Radio Matrix for Emergency Response (ARMER) 800 MHz radio system at an estimated cost of \$105,240.00. Sheriff Fisher will also pursue any shared benefits with our ARMER participation plan partners - Aitkin and Crow Wing Counties.

M/S/P Downham, Dowson – To approve the GeoComm proposed project management proposal and authorize Sheriff Fisher to prepare a contract for Board approval of the same. Unanimous.

- 5D. Sheriff Randy Fisher informed the Board of his intent not to seek re-election. Sheriff Fisher added that he has been with the Cass County Sheriff's Office for nearly thirty four years, and that he has been very fortunate to have benefited from the efforts and abilities of the Sheriff's Office staff, other county offices and law enforcement agencies, as well as the relationship and cooperation with past and present County Board.

- 6A. Highway Engineer Dave Enblom updated the Board on recent developments related to Federal "stimulus dollars". Cass County has projects being considered for reallocated ARRA "stimulus 1" funding through the BIA in cooperation with the Leech Lake Band of Ojibwe (CSAH # 8), and CSAH #1 improvements may be eligible under the Jobs for America, "stimulus 2" bill presently being considered in Congress.

M/S/P Downham, Dowson – To formally thank the Leech Lake Band of Ojibwe for their assistance in potentially accessing BIA Federal road funds for improvements to CASH # 8. Unanimous.

- 6B. Mr. Enblom recommended attendance at the Transportation Alliance Legislative Fly-In on June 8-10, 2010 in Washington D.C.

M/S/P Dowson, Peterson – To authorize attendance of Commissioner Dick Downham and Highway Engineer David Enblom to attend the Transportation Alliance Legislative Fly-In on June 8-10, 2010 in Washington D.C. Unanimous.

- 6C. The County Engineer reported a request by MNDOT to consider a joint Cass County/MNDOT truck station at Pine River. Mr. Enblom added that MNDOT has already obtained property near the Pine River airport to relocate the existing MNDOT truck station to a site.

M/S/P Dowson, Downham – To refer MNDOT's request to the Capital Improvement Committee (Commissioners Dowson and Peterson) to meet with the Cass County Highway Department staff to consider a joint Cass County/MNDOT truck station located in Pine River, MN. Unanimous.

- 6D. Mr. Enblom presented the bids for project results for ARRA Forest Highway SP 11—596-03/11-596-07 Sucker Bay Road that had been received on February 24, 2010. Mr. Enblom added that the Engineers Estimate was \$1,313,519.50.

M/S/P Downham, Peterson – To award the bid to the following apparent low bidder (received on February 24, 2010) ARRA Forest Highway SP 11—596-03/11-596-07 Sucker Bay Road to Knife River Materials contingent upon concurrence of award by MndOT's Civil Rights Office, in the bid amount of \$1,116,677.15. Unanimous.

ARRA Forest Highway SP 11—596-03/11-596-07 Sucker Bay Road		
<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Knife River Materials	\$1,116,677.15	14.99% Under Estimate
Tri-City Paving, Inc.	\$1,312,200.40	0.10% Under Estimate
Anderson Brothers Construction Co.	\$1,333,600.27	1.53% Over Estimate
Hawkinson Construction Co., Inc.	\$1,374,958.66	4.68% Over Estimate
Mark Sand & Gravel Co.	\$1,417,220.06	7.89% Over Estimate
Central Specialties, Inc.	\$1,445,504.06	10.05% Over Estimate

- 7A. Land Commissioner Josh Stevenson updated the Board on recent meetings with the Cass County Highway Department regarding survey work. The Highway Department has recommended several survey jobs for private contract to avoid potential conflicts of interest between Cass County and private property owners.

Mr. Stevenson also presented a draft Request For Proposals for the public corner monumentation project. County Surveyor Bob Kovanen explained the proposed timetable.

M/S/P Downham, Dowson – To authorize competitive bids for Cass County Land Department survey requests and authorize release of the Request For Proposals – Public Corner Monumentation Project. Unanimous.

- 7B. Mr. Stevenson reported a recent request from the USFS for permission to burn lands administered by the County. These lands will be burned with other State USFS lands this spring. This is an annual protocol with the USFS assuming all liability.

M/S/P Downham, Dowson – To approve the request from the USFS for permission to burn lands administered by Cass County to be burned in 2010 (wetland portions of the parcels that fall within burn unit boundaries) Burn Units 4, 6, 7, 900 - Parcel Numbers: 08-030-2201, 08-030-3200, 08-030-1400, 15-036-2202, 08-031-2200, 08-031-1100, 84-029-3406, 84-032-2100. Burn Units 13 & 14 - Parcel Numbers: 15-027-4300, 15-027-4400, 15-027-4100, 15-034-3201, 15-033-4400, 07-004-1201. Burn Units 5 & 8 - Parcel Numbers: 15-036-2402, 08-032-3400, 08-032-3100, 08-032-3200, 08-032-3300, 36-005-2403, 36-009-2302. Unanimous.

- 7C. Mr. Stevenson reported back on the AdHoc Committee of the Board (Dowson , Peterson) meeting of Tuesday, February 16, 2010. The Committee met with Bob and Betty Hall to discuss current easement policies and recommends sharing the survey cost, moving a private gate, and waive the fee in consideration of continued logging access over private land.

M/S/P Peterson, Downham – To approve the AdHoc Committee recommendations regarding the Bob Hall easement request including permission to contract for a Certificate of Survey (not to exceed \$3,000.00 or \$1,500.00 each to be awarded to the lowest apparent bidder), moving the private gate, and waive the fee in consideration of continued logging access over private land. Unanimous.

- 8A. Central Services Director Tim Richardson updated the Board on the code compliance needs for courthouse campus elevators. Mr. Richardson added that in late January we finally received our notice from the State regarding the code update requirements for our elevators. The State Department of Labor and Industry inspected the four elevators on the campus in April of 2009, and provided a complete list of all the items required to be code-compliant. We requested proposals from three elevator companies and received two proposals one from Otis Elevator (\$13, 328 + tax) and one from Minnesota Elevator (\$16,400 + tax). Both proposals include abandoning the old Courthouse elevator. There is some minor electrical work required that needs to be done by an electrician (primarily adding lighting and GFCI outlets in the elevator pits). The two proposals are from Otis Elevator (\$13, 328 + tax) and Minnesota Elevator (\$16,400 + tax).

M/S/P Peterson, Downham – To award a contract for bringing elevators into code compliance, and abandon one Courthouse elevator to the apparent low bidder Otis Elevator in the amount of \$13,328.00 plus sales tax and minor electrical work to be completed by quote. Unanimous.

Elevator code compliance needs for courthouse campus

Bidder

Otis Elevator

Minnesota Elevator

Bid Amount

\$13, 328 + electrical and sales tax

\$16,400 + electrical and sales tax

9. Administrator Yochum presented the upcoming meeting schedule.

10. 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