

TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
October 5, 2010

- 1A. Vice-Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, October 5, 2010, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Downham, Dowson, Kangas, and Peterson. Commissioners absent: Demgen.

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	John Ringle	ESD Director
Reno Wells	Probation Director	Jamie Richter	HHVS
Leslie Staker	SHIP	Mary-Teresa Gray	BSU Nursing student
Suzette Childs	BSU Nursing student	Chris Trout	4H- Coordinator
Mary Sarah Sauber	4-H Program	Monica Lundquist	Brainerd Dispatch
Allan Olson	Cass Lake Times		

- 1B. M/S/P Kangas, Downham - To approve the agenda items for discussion as presented and the addition of Item 2A25. (Approve Resolution No. 53-10 - Final payment on SP 11-596-06, Sylvan Twp. Little Pine Road realignment in the amount of \$240,977.00). Unanimous.

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

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

Approve - Board Minutes of September 21, 2010, and Special Meeting Minutes of September 28, 2010.

Approve - Auditor warrants dated September 23, 2010 in the amount of \$148,211.51.

Approve - HHVS Auditor warrants dated September 24, 2010 in the amount of \$87,563.27.

Approve - HHVS Commissioner warrants dated September 24, 2010 in the amount of \$ 232,609.21.

Approve - Auditor warrants dated September 30, 2010 in the amount of \$111,877.44.

Approve - Auditor warrants dated September 30, 2010 in the amount of \$1,050.00.

Approve - HHVS Auditor warrants dated September 30, 2010 in the amount of \$5.00.

Approve - Personnel Items: A. Budgeted positions scheduled for replacement: None. B. Positions scheduled for no replacement: None. C. Other: 1.) Accept notification confirming retirement of Cass County Commissioner James Demgen, effective date of Monday, January 3, 2011 and 2.) Accept notification confirming retirement of Cass County Sheriff Randy Fisher, effective date of Monday, January 3, 2011.

Approve - Moving the Tuesday, December 21, 2010 regular Commissioner's Board Meeting, scheduled for the Cass County Land Department, Backus, MN, beginning at 9:00 a.m. to Commissioners Board Room, 1st Floor Ctrse. Annex, Walker, MN beginning at 9:00 a.m..

Approve - Mediation settlement agreement for the Netter case regarding reconstruction of the Whipholt Beach Road - an uninsured claim of \$17,500 and \$510.00 for mediation services.

Receive & file - Monthly HHVS Cash Accounts Report to date, August 31, 2010 in the amount of \$10,267,869.

Approve - Ongoing MN Department of Health contract with HHVS Public Health Division, to provide Perinatal Hepatitis B case management (up to \$500 per case) and Immunization Practices Improvement visits with medical clinics (up to \$700 per clinic), effective October 1, 2010-September 30, 2011.

Approve - Non-financial contract for Home and Community Based Services with Riverside Assisted Living of Pillager effective August 1, 2010 through December 31, 2011.

Approve - Annual request from Central MN Council on Aging for administrative matching funds of \$3,652 for 2011 as recommended by the HHVS Advisory Committee.

Accept - \$50.00 donation for Senior Transportation Program, from Richard Feist on behalf of his Aunt Donna Molumby.

Approve - Enter into an agreement with SCSEP (Senior Community Service Employment Program) to become a host agency for older workers to work community service hours in the Sheriff's Office at no cost to Cass County.

Approve - Change Order #3 for AGC Re-Use Project to Maguire Iron, Inc. in the deduct amount of \$-17,300.00.

M/S/P Downham, Kangas – To award quote for re-inventory of 5,900 acres of County administered land to Chandler Johnson, Fairmont, MN in the amount of \$3.45 per acre. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Chandler Johnson, Fairmont MN	\$20,355.00
Stan Grossman, Itasca Woodland Services, Inc. Park Rapids MN	\$22,125.00
Brian Giersdorf, Deer River MN	\$26,491.00
Mutch's Forestry Service, Grand Rapids MN	\$35,046.00
Beaver Tail Ent Inc, Bigfork, MN	\$55,991.00

Approve - Request to apply for an easement (preliminary) across State of MN School Trust Land in Sect. 10 Turtle Lake Township.

Receive & file - Timber auction results for September 30, 2010 totaling 5,080.00 cords in the amount of \$123,635.00.

Approve - State Formula Payment alternative and 15% allocation to Title II projects.

Receive & file - September 2010 Cass County EDC Activity Report.

Receive & file - Notice of Backus Municipal Joint Airport Zoning Board hearing on October 12, 2010.

Receive & file – Office of State Auditor Exit Conference Minutes of September 23, 2010.

Approve - Resolution No. 53-10 - Final payment on SP 11-596-06, Sylvan Twp. Little Pine Road realignment in the amount of \$240,977.00. Commissioner Downham offered Resolution No. 53-10 and moved its adoption, Commissioner Kangas seconded:

WHEREAS: Contract No. 59606 (SP 11-596-06) has in all things been completed, and the County Board being fully advised in the premises,

NOW THEN BE IT RESOLVED, that we do hereby accept said completed project for and in behalf of the County of Cass and authorize final payment as specified herein.

Resolution No. 53-10 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Demgen.

3A. 4-H Program Coordinator Chris Trout and Mary Sarah Sauber from the Cass County 4H Program presented baked goods and thanked the Board for their continued support of the local 4-H Program. The Board thanked them for the snacks and their 4-H work. No action necessary.

4A. HHVS Director Ane Rogers presented the child placement costs for August 2010, in the amount of \$131,342

M/S/P Dowson, Peterson – To receive & file the child placement costs for August 2010, in the amount of \$131,342. Unanimous.

4B. Ms. Rogers presented the Cass County Area Resource Guidebook to the Board. Ms. Rogers explained that the Cass County Area Resource Guide was designed and will be maintained by our staff of Human Service professionals. The guide contains detailed service descriptions, service access criteria, location, language, and contact information for hundreds of organizations providing human services to Cass and surrounding counties. No action necessary.

4C. Director Rogers updated the Board on the Cass County coordination of services with Leech Lake Reservation. HHVS will be providing space for a Mental Health Therapist from the Leech Lake Mental Health Division on two Fridays each month. This will enable clients living in the southern area of the Reservation to participate in their appointments at Walker. HHVS is working with both the Leech Lake Health Division and the Cass Lake Indian Hospital to secure space in order to provide income maintenance appointments by ITV (currently provided in person one day a month at the Cass Lake Family Center). Both the Hospital and the Health Division have patient benefits coordinators that will assist HHVS clients to have the needed paperwork for the application interviews.

4D. Statewide Health Improvement Program (SHIP) Coordinator Leslie Staker and Jamie Richter explained the 2010 Community Survey Results. Ms. Staker and Ms. Richter also updated the Board on partnerships to date to decrease tobacco use and obesity including local Farmer's Markets throughout Cass County. The Board thanked Ms. Staker and Ms. Richter for the update. No action necessary.

5A. ESD Director John Ringle asked for Board approval to subcontract with Leech Lake Area Watershed Foundation for \$72,000 using MNDNR/LCCMR to obtain to obtain donated easements on 12 to 15 riparian (lakeshore) properties to preserve conservation value. Mr. Ringle informed the Board that Cass County received \$300,000 in FY 2011 Legislative and Citizens Commission for Minnesota Resources (LCCMR) funding for the second phase of the Donated Conservation Easement project, "Conserving Sensitive and Priority Shorelands". We currently have a County Board authorized and signed flow-through contract with Minnesota DNR for this funding and that the 3-year MNDNR/LCCMR work plan specifies Cass County will subcontract with the Leech Lake Watershed Foundation to obtain donated easements. The subcontract would include \$68,500, as approved in the flow-through contract, for Landowner outreach and a Land Conservation Specialist to provide technical assistance and coordination of assessments and documentation, plus \$1,500 for travel to meetings with property owners.

M/S/P Downham, Kangas – Approve subcontracting with the Leech Lake Area Watershed Foundation for \$68,500, as approved in the flow-through contract, for Landowner outreach and a Land Conservation Specialist to provide technical assistance and coordination of assessments and documentation, plus \$1,500 for travel to meetings with property owners in a total amount of \$72,000.00 to obtain donated easements on 12 to 15 riparian (lakeshore) properties to preserve conservation value. Unanimous.

5B. Mr. Ringle presented the NCEDA Household Water Well Program for loans for Cass County residents to replace or repair failing existing household water wells. The North Central Economic Development Association (NCEDA - a subsidiary of the Region 5 Development Commission) has received grant funding for a revolving loan pool to provide affordable assistance to repair or replace existing household water wells similar to the existing Region 5 SSTS revolving loan program. Cass County can access funding for up to two homeowners in the County on a revolving basis by participating in this loan program. Mr. Ringle presented Resolutions 54-10 and 55-10 that approve Cass County participation.

Commissioner Peterson offered Resolution No. 54-10 and moved its adoption, Commissioner Kangas seconded:

WHEREAS: the North Central Economic Development Association (NCEDA)/Region Five Development Commission received grant funds from the USDA to create a Household Water Well program for low to mid income landowner to repair or replace existing water wells, and

WHEREAS: the NCEDA will work with Cass County Public Health, Cass County Environmental Services and other agencies for loan development, and

WHEREAS: Cass County consents to participate in the program, and

WHEREAS: the Cass County Auditor-Treasurer's Office will assist with collection of delinquent loans.

THEREFORE BE IT RESOLVED; that the Cass County Board of Commissioners agrees to adopt the Household Water Well Program submitted on October 5, 2010 between the NCEDA/Region Five Development Commission and Cass County, and

FURTHER RESOLVED; that the Cass County Auditor-Treasurer agrees to the manner in which delinquent loans shall be collected and are authorized to assess the balance of such loans to the property's real estate taxes and the balance collected shall be paid to the NCEDA/Region Five, in accordance with the agreement; and

BE IT FURTHER RESOLVED, the Chairman and County Auditor-Treasurer are authorized to sign the Memorandum of Understanding upon approval of the County Attorney.

Resolution No. 54-10 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Demgen.

Commissioner Peterson offered Resolution No. 55-10 and moved its adoption, Commissioner Kangas seconded:

This AGREEMENT is made between the North Central Economic Development Association (hereinafter referred to as "NCEDA"), whose address is 403 Prairie Ave NE; Suite 100, Staples, MN 56479, and Cass County, a political subdivision (hereinafter referred to as "County").

RECITALS

WHEREAS, NCEDA has made a loan or loans to improve properties located within the County; and

WHEREAS, the purpose of the loans is to replace or repair failing existing household water wells; and

WHEREAS, the loans are secured by a mortgage and a promissory note; and

WHEREAS, the promissory note will contain the following provision:

"SHOULD BORROWER BE IN DEFAULT IN EXCESS OF 12 MONTHS OR ABANDONED THE PROPERTY, LENDER MAY CERTIFY DEFAULT TO THE COUNTY AUDITOR OR COUNTY TREASURER. THE COUNTY AUDITOR OR COUNTY TREASURER WILL BE AUTHORIZED TO ASSESS THE REMAINING BALANCE DUE ON THE ACCOUNT, WHICH INCLUDES THE AMOUNT OF DEFAULT, ACCUMULATED INTEREST, AS WELL AS FILING AND RECORDING FEES AGAINST THE PROPERTY'S REAL ESTATE TAXES. THE AMOUNT SO COLLECTED BY THE COUNTY SHALL BE CREDITED TO BORROW'S OBLIGATION UNDER THIS PROMISSORY NOTE." AND

WHEREAS, County may collect funds on behalf of NCEDA for repayment of monies loaned to construct or upgrade a private water well system; and

WHEREAS, County agrees that these funds should be paid to NCEDA.

IT IS HEREBY AGREED AS FOLLOWS:

In consideration of the mutual promises contained herein, the County agrees that any and all funds it receives on behalf of NCEDA through the collection of rural property taxes shall be paid to NCEDA by the County Auditor-Treasurer as soon as practicable after the collection of said funds.

Resolution No. 55-10 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Demgen

6A. Chief Financial Officer Larry Wolfe reported on the special levy certification process. Mr. Wolfe informed the Board that the total proposed levy certified to be collected in 2011 by the County Auditor is \$20,046,6123. The total special levies allowed by current statute are \$1,526,093, the levy subject to levy limitation is \$18,520,520 and the payable 2011 overall levy limitation is \$20,309,619. Mr. Wolfe added that the proposed levy for 2011 is \$1,789,099 less than the limit established by the State of Minnesota.

7. Administrator Yochum confirmed the upcoming meeting schedule: a. Annual Fall Conference of the Cass County Association of Townships – Thursday, Oct. 7, beginning at 8:00 a.m., Bear Pause Theater, Hackensack, MN. b. AMC Fall 2010 District II Meeting, Wednesday, October 27, 2010, Prime West, Bemidji, MN.

M/S/P Downham, Kangas – To establish Tuesday, November 9, 2010 for the Cass County Department Head Performance Evaluations, beginning at 9:00 a.m., Board Room, 1st Floor Annex, Courthouse, MN. Unanimous.

8. Vice Chairman Dowson adjourned the meeting at 9:40 A.M.

SIGNED: _____
Jim Dowson, Vice Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator