

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

- 1A. Chairman Demgen convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, November 2, 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
Josh Stevenson	Land Commissioner	Tim Richardson	Central Services Director
David Enblom	Highway Engineer	Kris Lyytinen	Highway Department
Laura Hadrava	Highway Department	Lori Koch	Highway Department
Kerry Swenson	Sheriff's Office	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent		

- 1B. M/S/P Peterson, Kangas - To approve the agenda items for discussion as presented and the addition of Item 6C. (Remer Building Project), and Item 6D. (City of East Gull Lake Conservation Fund #73 request). Unanimous.

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

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

Approve - Board Minutes of October 19, 2010.

Approve - Auditor warrants dated October 21, 2010 in the amount of \$433,097.86.

Approve - HHVS Auditor warrants dated October 22, 2010 in the amount of \$183,239.17.

Approve - HHVS Commissioner warrants dated October 22, 2010 in the amount of \$258,594.98.

Approve - Auditor warrants dated October 28, 2010 in the amount of \$140,041.18.

Approve - Auditor warrants dated October 28, 2010 in the amount of \$1,347.00.

Approve Personnel Items - A. Budgeted positions scheduled for replacement - Receive & file - Appointment of Frank Schaap, Social Services Supervisor, to grade 37, step 9 from grade 35, step 10, effective 10/19/2010. B. Positions scheduled for no replacement: None. C. Other - Receive & file - Notice of probation completion for Jennifer Bloomstrom, Public Health Nurse, Family Health, grade 32 step 1, effective 10/26/10.

Approve - PEHRC's point factor evaluation system rating for HHVS – Social Worker Team Leader at grade 31. Receive & file- Notice of probation completion for Cecil Louks, Maintenance Mechanic, grade 16.

Approve Licenses - Off Sale 3.2 Beer - Mule Lake Store, Paty Underwood, Wabedo. On & Off Sale 3.2 Beer - All Pine Inn Resort, Richard Anderson, Beulah.

Appoint – Dick Downham, and Bob Kangas (alternate) as MCIT voting delegates during AMC Conference on Dec. 6-8, 2010.

Receive & file - MN Department of Commerce Examination Report for South Country Health Alliance as of December 31, 2009.

M/S/P Kangas, Dowson - To award quotes for certificates of survey and monumentation of property lines necessary for timber management as follows: Project #2 to Bolton & Menk, Inc. not to exceed \$8,000.00 in Section 30 and 31 of Homebrook Township and Project # 5 to Kohout Surveying not to exceed \$3,200.00 in Section 2 of Blind Lake Township. Unanimous.

<u>Bidder</u>	<u>Project 2-Homebrook Twp.</u>	<u>Project 5-Blind Lake Twp.</u>	<u>Total</u>
Stonemark	\$8,380.00	\$3,330.00	\$11,710.00
Bolton & Menk, Inc.	\$8,000.00	\$4,000.00	\$12,000.00
Arro Land Surveyors, LLC	\$8,770.00	\$3,395.00	\$12,165.00
Kohout Surveying	\$12,500.00	\$3,200.00	\$15,700.00
Engelmeyer Surveying	\$8,600.00	\$7,580.00	\$16,180.00
Northwestern Surveying & Engineering, Inc.	\$17,770.00	\$4,900.00	\$22,670.00
Northern Engineering & Consulting, Inc.	\$18,770.00	\$4,405.00	\$23,175.00
Bonestroo	\$18,900.00	\$11,400.00	\$30,300.00

Accept - \$100.00 donation from Ronald and Sharon Palmer for the Sheriff's Office Boat & Water Division.

Receive & file - 3rd quarter Planning and Zoning Activity Report for 2010.

Accept - Crime Victim Services grant (2011-VCS-00096/6900-3059) from the Department of Public Safety-Office of Justice Programs for Ongoing Crime Victim Services for 2011 in the amount of \$43,172.00.

Refer - Correspondence from Joe Graw regarding proposed dog ordinance to a Committee of the Board (Commissioners Peterson & Downham).

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

Receive & file - Monthly HHVS Cash Accounts Report to date, September 30, 2010 in the amount of \$9,784,436.

Approve - Minnesota Department of Human Services ongoing 2011 budget with HHVS, Public Health Division, for Child & Teen Check ups Outreach at \$87,768, effective January 1, 2011-December 31, 2011.

Approve - Ongoing HHVS contract and 2011 budgets with the Family Centers for Child & Teen Check ups Outreach at Pine River-Backus Family Center, \$13,305, Pillager Area Family Center, \$11,029, and Northland Family Center, \$11,022, effective January 1, 2011-December 31, 2011.

Approve - Minnesota Department of Health Assurances and Agreements for Local Public Health funding with the Cass County Health, Human and Veteran Services Board for 2011.

Approve - HHVS Child Placement Costs for September 2010 in the amount of \$147,156.

- 2B. Administrator Yochum and Commissioner Dick Downham reported on the Association of MN Counties District II meeting held on Wednesday, October 27, 2010 at Bemidji, MN. Topics of interest included radio interoperability, tax exemptions for radio equipment, Cass County DNR trust land pilot project, taxable property resolution from Beltrami County and the AMC 2011-2012 policy platform. Mr. Yochum also reported the AMC request to invite newly elected County Commissioners to attend the AMC Annual Conference, December 6-8, 2010 at the St. Cloud Convention Center, St. Cloud, MN.

M/S/P Kangas, Downham – To approve attendance of newly elected Cass County Commissioners at the AMC Annual Conference, December 6-8, 2010 at the St. Cloud Convention Center, St. Cloud, MN. Unanimous.

- 2C. Administrator Yochum submitted recent correspondence from Maple Township requesting that it be exempted from the March 16, 2010 County Board policy that approved a recommendation of the Planning Commission that all Cass County Land Use and Zoning Ordinances be enforced in all Townships within Cass County regardless of whether a Township has enacted their own Ordinance. Mr. Yochum also noted that Sylvan Township had previously requested an exemption on commercial zoning permits by the Sylvan Township Board. Maple Township also requested a refund of the Cass County building permit portion of Mr. Ted Seep's charges be refunded back to the Maple Township Board.

M/S/P Kangas, Downham – To approve a refund of the Cass County building permit portion of Mr. Ted Seep's charges back to the Maple Township Board. Unanimous.

M/S/P Kangas, Downham – To exempt Maple Township and Sylvan Township commercial areas from all Cass County Land Use and Zoning Ordinances deferring instead to the Township Ordinances as provided by law. Unanimous.

- 3A. Chief Financial Officer Larry Wolfe reported back on Insurance Committee Meeting of October 15, 2010. Items discussed were to utilize SHIP Grant resources to implement a worksite wellness program; utilizing non-county time and no cost to the County discussed 2010 financial trends; Discussed possible recommendations to the County Board for 2011 program to keep County contributions and plan rates at 2010 level; Adopt Federal, State and BC/BS changes as outlined in packet; Recommend contract renewals with Cafeteria Plan Administration and Flex Accounts - TASC; Health Care Savings Accounts – BC/BS Select; Life Insurance – MN Mutual through Integrity; Short & Long Term Disability & Dental – Assurant through Integrity; Open enrollment dates November 8, 2010 through December 3, 2010; and Refer AFLAC request for presentation to a committee of Larry Wolfe, Doug Stark and Jerry Lamon.

M/S/P Kangas, Peterson – To approve the recommendations from the Insurance Committee to keep County contributions and plan rates at 2010 level; to adopt Federal, State and BC/BS changes, contract renewals with Cafeteria Plan Administration and Flex Accounts - TASC; Health Care Savings Accounts – BC/BS Select; Life Insurance – MN Mutual through Integrity; Short & Long Term Disability & Dental – Assurant through Integrity; open enrollment dates November 8, 2010 through December 3, 2010, and further, to refer the AFLAC request for presentation to a committee of Larry Wolfe, Doug Stark and Jerry Lamon. Unanimous.

- 3B. Chief Financial Officer Larry Wolfe presented the Minnesota Office of State Auditor's Audit for the year ended December 31, 2009. Mr. Wolfe reviewed the Management and Compliance Report from the OSA, Cass County's response to the Audit findings, Cass County's balance sheet, Statement of revenues/expenditures, and changes in fund balance for the year ending December 31, 2009. The Board acknowledged the expertise and efforts of County financial staff.

M/S/P Dowson, Peterson – To receive & file the Minnesota Office of State Auditor's Audit of Cass County for the year ended December 31, 2009, and further, to recognize all County staff that participated on the Cass County Audit. Unanimous.

- 3C. Mr. Wolfe presented the Summary Financial Statement for year ending December 31, 2009.

M/S/P Dowson, Peterson – To receive & file the Summary Financial Statement for year ending December 31, 2009. Unanimous.

- 4A. Central Services Director Tim Richardson updated the Board on the Video link connection to Cass Lake. Beginning November 9th, the HHVS Income Maintenance unit will no longer need to go to Cass Lake to interview clients for assistance, as a room in The Nest (a Tribal Clinic) is outfitted with a small ITV unit to allow clients and workers the ability to do what's necessary via video. The staff at The Nest is going to help the clients get setup for interviews and get the ITV equipment operating before each session. The IT staff at the Facilities Center has been more than willing to see that this is successful from a technical stand point, and The Nest staff is equally determined to get this service going. With the move from offices in the Cass Lake Family Center to The Nest, the County will no longer be using the PCs and ancillary equipment at that location. Mr. Richardson recommended the County leave the equipment in place for the use of the staff at the Family Center, as the equipment is at least two generations older than current and is not something the County would put back in production, the estimated value is less than \$150.

M/S/P Kangas, Peterson – To approve indefinitely assigning the PCs and ancillary County equipment at the Cass Lake Family Center to the Cass Lake Family Center for their use. Unanimous.

- 4B. Mr. Richardson updated the Board on the recent State Auditor exit conference for 2009. Business continuity planning came up as one of the items needing attention. This will continue to be an audit item until we have completed the process. Director Richardson discussed potential components of the plan, and asked the Board to provide their support for the project.

M/S/P Downham, Kangas - To request related staff to complete a Business Continuity Plan by May 1, 2011. Unanimous.

- 5A. Land Commissioner Josh Stevenson presented an update on trail and area of limitation designations. The Land Department has been working with three separate groups regarding County Administered Land designations and have attended several meetings with townships and cities. Most townships and cities are holding public input meetings before they report back to the County regarding requests. The Over the Hills Gang, and Woodtick Wheelers have formally requested help from the Cass county Land Department with a GIA ATV Trail Proposal. Mr. Stevenson also informed the Board that the Land Department has received several questions and attended meetings regarding an Area of Limitations request for

the Deep Portage Reserve. The AOL request is consistent with the current management of the area, however no formal request has been received at this time.

M/S/P Downham, Dowson - To refer any proposed trail designations or areas of limitations to a Committee of the Board (Commissioners Kangas, and Peterson) prior to submission to the Board of Commissioners. Unanimous.

- 5B. Mr. Stevenson presented a request to transfer an existing 33' easement in Section 13 of Wabedo Township from Paul and Norma Freppert to Elizabeth Nolan Nordstrom and Duane V. Nordstrom as Trustees of the 2003 Charles Nolan Nordstrom Trust (Easement Agreement #10-13-140-28-32).

M/S/P Dowson, Peterson – To approve request to transfer an existing 33' easement in Section 13 of Wabedo Township from Paul and Norma Freppert to Elizabeth Nolan Nordstrom and Duane V. Nordstrom as Trustees of the 2003 Charles Nolan Nordstrom Trust (Easement Agreement #10-13-140-28-32). Unanimous.

- 5C. Mr. Stevenson presented the timber auction results of Thursday, October 28, 2010.

M/S/P Kangas, Downham - To receive & file timber auction results of October 28, 2010 totaling 8,862.00 cords in the amount of \$211,187.90. Unanimous.

- 6A. Highway Engineer David Enblom requested County Board approval on the conceptual Mississippi River Bicycle Trail through a part of Cass County. The Mississippi River Trail is a world-class bicycling route that travels from the headwaters of the Mississippi River at Lake Itasca, Minnesota to the Delta at the Gulf of Mexico in Louisiana. It is a 3,000-mile system of bicycle-friendly roads and multi-use pathways. The Mississippi River Trail will connect Minnesota with 9 other states and the cities of Minneapolis and St. Paul with St. Louis, Memphis and New Orleans, and hundreds of other smaller towns and river communities. Mr. Enblom added that in Greater Minnesota a number of bicyclists worked with the Minnesota Department of Transportation and the Department of Natural Resources in identifying and evaluating the existing route even though the Minnesota Department of Transportation will continue to maintain statewide mapping and information regarding the Mississippi River Trail and will be managed collaboratively by all road and trail authorities that comprise the trail.

Commissioner Downham offered Resolution No. 58-10 and moved its adoption, Commissioner Dowson seconded:

Resolution of Initial Support for the Mississippi River Trail bicycle route

Whereas, the Mississippi River is well known throughout America and the world,

Whereas, the hills, trees and waters centered upon the Mississippi River are quite beautiful to residents and tourists alike;

Whereas, the Mississippi River has served through time as a corridor of exploration, travel, and settlement,

Whereas, the Mississippi River is a corridor of great natural significance and importance within Minnesota and America;

Whereas, the Mississippi River Trail is a bicycle route that offers an opportunity for extraordinary adventure along the entire river from the Headwaters in Lake Itasca State Park in Minnesota to the Gulf of Mexico in Louisiana.

Whereas, the Mississippi River Trail relies exclusively on existing highway shoulders, low-volume paved roads and paved recreational trails,

Whereas, the route will likely evolve and improve as road improvements are made and suitable paved recreational trails become available.

Whereas, the Mississippi River Trail will generate additional economic activity within Mississippi River host communities;

Whereas, a continuous string of local resolutions of support for the *Mississippi River Trail* will strengthen individual and collective funding requests for projects that protect, enhance or promote resources that enrich the traveler's experience;

Whereas, even though the Minnesota Department of Transportation will continue to maintain statewide mapping and information regarding the *Mississippi River Trail*, convene meetings and facilitate the resolution of issues and alignment selection within the State, the *Mississippi River Trail* will be managed collaboratively by all road and trail authorities that comprise the trail;

THEREFORE, BE IT RESOLVED, that Cass County supports the collective efforts of the Minnesota Department of Transportation and other road and trail authorities that comprise the *Mississippi River Trail* and authorizes County Engineer David Enblom to represent the County in ongoing collaborative discussions, and in matters of a general nature regarding the operation and location of the Mississippi River Trail within its administrative boundaries.

Resolution No. 58-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 6B. Highway Engineer David Enblom, Assistant Highway Engineer Kris Lytinen, Construction Design Engineer Laura Hadrava and Fiscal Supervisor Lori Koch of the Cass County Highway Department reported back to County board regarding topics from the August 31, 2010 special meeting.

Highway staff explained that by applying the existing \$850,000 County road levy to CSAH pavement preservation projects to the existing 5-year construction program, all the pavements in the current inventory would be upgraded to a fair or a better rating.

M/S/P Kangas, Dowson – To approve amending the 5-year Cass County highway construction program by adding the additional projects. Unanimous.

YEAR 2011

CSAH 44	TH 371	TH 84	Mill and overlay
CR 109	TH 64	CSAH 24	Grade and pave

YEAR 2012

CSAH 34	TH 64	CSAH 1	Mill and inlay
CSAH 63	CSAH 4	CSAH 8	Mill and inlay

YEAR 2013

CSAH 65	CR 158	County Line	Mill and overlay
---------	--------	-------------	------------------

YEAR 2014

CSAH 49	TH 84	CSAH 56	Mill and overlay
---------	-------	---------	------------------

YEAR 2015

CSAH 58	TH 6	4.0 MI East	Reclaim and resurface
CSAH 74	CSAH 65	CSAH 3	Resurface

YEAR 2016

CR 114	CSAH 1	County Line	Wear Course
CR 115	CSAH 1	2.0 MI East	Wear Course
CR 109	TH 64	CSAH 24	Wear Course

Kris Lyytinen presented the 2011 – 2021 year Capital Equipment Program that includes the present budgeted amount of \$284,000 County capital levy into the Highway Dept. equipment replacement program for each year.

M/S/P Dowson, Kangas – To approve inclusion of the present budgeted amount of \$284,000 County capital levy into the Highway Dept. equipment replacement program for years of 2011 through 2021. Unanimous.

Mr. Enblom discussed the potential cooperative feasibility study project with MnDOT on combining the Cass County Highway Department maintenance facility in Remer along with the MnDOT Shop also located in Remer.

M/S/P Dowson, Downham – To approve the designation of \$500,000 Cass County's capital funds toward the co-location of MnDOT and the Cass County Highway Department in the City of Remer. Unanimous.

- 6C. Mr. Enblom requested Board approval to retain Widseth, Smith, & Notling for design services for the Cass County Highway Department for a maintenance facility located in the City of Remer.

M/S/P Dowson, Kangas – To refer the request to retain Widseth, Smith, & Notling for design services for the Remer Building Project to the Capital Improvement Committee of the Board (Commissioners Dowson, Peterson). Unanimous.

- 6D. Commissioner Demgen reported that a Conservation Fund #73 request will be forth coming from the City of East Gull Lake to be used for the continuation of their multi-use paved trail system. No action necessary.
7. Administrator Yochum presented the upcoming meeting schedule: a. Cass County Department Heads on Tuesday, November 9, 2010 beginning at 9:00 a.m., Commissioners Board Room, 1st Floor Annex, Courthouse, MN. Following the Performance Evaluations the Board of Commissioners will tour the Ah-Gwah-Ching Project site.
8. Chairman Demgen adjourned the meeting at 10:30 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator