

TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
December 9, 2010

- 1A. Chairman Demgen convened the regular meeting of the Cass County Board of Commissioners at 3:00 p.m. on Thursday, December 9, 2010 with the flag pledge, in the Board Room of the Courthouse, Walker, 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
Paul Fairbanks	County Planner	John Sumption	Sumption Environmental
Ane Rogers	HHVS Director	Reno Wells	Probation Director
David Enblom	Highway Engineer	Randy Fisher	Sheriff
Kerry Swenson	Emergency Management Coord.	Linda Nye	HHVS
Michele Piprude	HHVS	Israel Moe	Self
Pauline Fahey	Sheriff's Office	Tom Burch	Sheriff Elect
Tim Richardson	Central Services	Jim Schneider	Probation Department
Chris Lentz	Motorola	Rod Schloesser	Crooked Lake Twp.
Dave Schaumburg	Crooked Lake Twp.	Rey Freeman	GeoComm
Gail DeBoer	Pilot Independent	Allan Olson	Cass Lake Times

- 1B. M/S/P Kangas, Dowson - To approve the agenda items for discussion as presented and the addition of Item 2.G (Resolution of support for the appointment of former State Representative District 4A Frank Moe to the position of Commissioner of the Minnesota Department of Natural Resources). Unanimous.

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

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

Approve - Board Minutes of November 16, 2010.

Approve - Auditor warrants dated November 12, 2010 in the amount of \$2,977,982.42.

Approve - Auditor warrants dated November 18, 2010 in the amount of \$249,478.52.

Approve - HHVS Commissioner warrants dated November 19, 2010 in the amount of \$248,098.96.

Approve - HHVS Auditor warrants dated November 19, 2010 in the amount of \$121,444.92.

Approve - Auditor warrants dated November 24, 2010 in the amount of \$956.00.

Approve - Auditor warrants dated November 24, 2010 in the amount of \$547,741.23.

Approve - HHVS Auditor warrants dated November 26, 2010 in the amount of \$4,240.00.

Approve - HHVS Auditor warrants dated November 30, 2010 in the amount of \$88.00.

Approve - Auditor warrants dated December 2, 2010 in the amount of \$813,255.05.

Approve licenses – On & Off Sale 3.2 Beer - Sah-Kay-Tay Beach Resort - Sah-Kay-Tay Properties, LLC, Pike Bay; Agency Bay Lodge - Sharon Palmer, Turtle Lake; Long Bow Golf Club - Long Bow Golf Club, LLC, Leech Lake; Becker's Resort - Holter Holiday, LLC, Unorganized; Starck's Tamarack Lodge - Jeffrey Starck, Unorganized. Tobacco - Holiday Stationstore #164-Holiday Stationstores, Inc, Pine River City; Holiday Stationstore # 191-Holiday Stationstores, Inc, Walker; Anchorage Inn- JLANchorage, LLC, Inguadona; Mule Lake Store - Michael G Underwood, Wabedo; MacHart's Landing- Earl Machart Federal Dam; Outing Station- Roosevelt Lake Properties, Inc, Crooked Lake; Lake Country Grocery & Liquor- Sara Smith, Crooked Lake; Walker Bay Spirits- City of Walker, Walker; Long Pine Store- Cynthia Bussian, Ponto Lake; DJ's Liquor Outlet - Joseph Karst, Powers; Corner Store Express, Inc - Corner Store Express, Inc, Sylvan; Godfrey's Inc - Thomas Godfrey, Powers; Winnibigoshish Historical Center, Inc – Arnold Dahl, Unorganized; Holters Grocery- Holters Super Valu, Inc, Remer (City); 64 Stop- 64 Stop, Inc Gary Dauer, Meadowbrook; Remer Junction-Northern Star Coop, Remer (City); Petro Plus Convenience Ctr-Adiun Oil Co, Inc, Pillager; Corner Store-David A. Sheley, Jr, Powers.

Approve Personnel Actions - Receive & file - Notice of appointment of Judy Dean, Assessor's Office - Certified Appraiser, grade 26, step 2, effective December 13, 2010. Receive & file - Notice of appointment of Alexander Hirman, Probation Dept. – Probation Officer, grade 28, step 1 effective November 29, 2010. Receive & file - Intent to fill budgeted vacancy of Motor Equipment Operator (Pine River Shop) positions at the Highway Department due to illness of Marv Lorensen and anticipated upcoming retirement in 2011 of Walt Peterson. Receive & file – Notice of appointment of Michele Piprude as Social Services Supervisor, grade 37, step 1, effective December 6, 2010. Receive & file – Notice of appointment of Amanda Lennberg, Social Worker, Social Services Unit, grade 28, step1, effective December 13, 2010. Request – to use internal funding on a temporary basis to move Jennifer Johnson, HHVS Clerical Unit, to full time pending the financial approval of the Leech Lake Tribal Court, as part of the collaborative effort for the Wellness Court. Receive & file - Notice of appointment of Sgt. Erick Hoglund to Chief Deputy, grade 40, step 3, effective January 4, 2011.

Receive & file - MN Counties Intergovernmental Trust (MCIT) 2009 Annual Report.

Receive & file - Timber auction results of November 2010 totaling 3,556 cords in the amount of \$71,146.00.

M/S/P Downham, Dowson – To authorize per diem payments to Board appointed citizen committees for FY2011, in the amount of \$75.00/day (same as commissioners per diem) and mileage reimbursement per the Cass County Personnel Rules and Policies. Unanimous.

M/S/P Downham, Dowson – To approve the daily meal and incidental expense reimbursement for FY2011 - The base daily per diem M&IE rate is \$46.00. Locality does not apply when no overnight travel is involved. The daily per diem M&IE rates for overnight travel in Minnesota are: Olmstead County – up to \$51 per day; Dakota and St. Louis County – up to \$56 per day; Hennepin County and Ramsey County – up to \$71 per day; All other localities in Minnesota – up to \$46 per day. Must be accompanied by an itemized receipt. For localities outside Minnesota, see per diem table on Cass County website, or obtain copy at the Auditor-Treasurer's Office, effective January 1, 2011. Unanimous.

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

Approve – Payment (Invoice No. 6221) to Iverson Reuvers, LLC in the amount of \$9,641.30 as uninsured claim cost (Netter Case).

Receive & file - 2010 MCIT dividend payment in the amount of \$290,042.00.

M/S/P Downham, Dowson - To award Projects #1, #2, and #3 to Gary Sexton for \$17,250, Project #4 to Lott Excavating for \$6,700 with additional fill at \$8.00 per CUYD, Project #5 to Outdoor Creations & Renovations for \$6,510 with additional fill at \$9.00 per CUYD, Project #6 to Outdoor Creations & Renovations for \$7,295 with additional fill at \$9.00 per CUYD, Project #7 to Outdoor Creations & Renovations for \$3,430 with additional fill at \$8.00 per CUYD, Project 8 to Outdoor Creations & Renovations for \$7,860 with additional fill at \$8.00 per CUYD, and Project #9 to Outdoor Creations & Renovations for \$13,886 with additional fill at \$9.00 per CUYD. Unanimous.

<u>Bidder Name</u>	<u># 1</u>	<u># 2</u>	<u># 3</u>	<u># 4</u>	<u># 5</u>	<u># 6</u>	<u># 7</u>	<u># 8</u>	<u># 9</u>
Sawyer Timber			\$22,500.						
Gary Sexton	\$2,500.	\$2,000.	\$12,750.						
Outdoor Creations				\$7,495. \$9.00/CUYD	\$6,510. \$9.00/CUYD	\$7,295. \$9.00/CUYD	\$3,430. \$8.00/CUYD	\$7,860. \$8.00/CUYD	\$13,886. \$9.00/CUYD
Lott Excavating				\$6,700. \$8.00/CUYD	\$6,900. \$8.00/CUYD				
Wolske Const.							\$9,065. \$9.50/CUYD		

Approve - Resolution No. 62-10 for final payment on Contract No. 60207 SAP11-602-07 for culvert replacement on CSAH #2.

Commissioner Downham offered Resolution No. 62-10 and moved its adoption, Commissioner Dowson seconded:

WHEREAS: Contract No. 60207 (SAP 11-602-07) 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. 62-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

Approve - Resolution No. 63-10 for final payment on Contract No. 61104 SAP11-611-04 and CP 2010-1(155) for pavement preservation (CSAH 11), aggregate base/bituminous surfacing (CR155).

Commissioner Downham offered Resolution No. 63-10 and moved its adoption, Commissioner Dowson seconded:

WHEREAS: Contract No. 61104 (SAP 11-611-04 and CP 2010-1(155)) 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. 63-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

Approve - Resolution No. 64-10 for final payment on Contract No. 59603 SP 11-596-03 for bituminous resurfacing on Sucker Bay Road.

Commissioner Downham offered Resolution No.64-10 and moved its adoption, Commissioner Dowson seconded:

WHEREAS: Contract No. 59603 (SP 11-596-03) 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. 64-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

Receive and file - Monthly HHVS Cash Accounts Report to date, October 31, 2010 in the amount of \$9,057,522.

Approve - HHVS ongoing Group Residential Housing non financial Agreements for January 1, 2011-December 31, 2012 - Donald and June Hanson; Wayne and Janell Hasty; Timothy and Tangi Kunnari; Donald and Robyn Hummer; Kim Marlow-Vetch; Jerry and Judith Sawyer; Allen and Linda Selvaag; John and Teresa Smith; Trish Danielowski/Ellen McGregor; Kurt Kittleson/Leeann Hanson; Gaylen and Delores Hoehne; Janell Kramer/Bruce Fahlen; Merle Johnson; Angie Krushe; Ed Bettino; Liz Wheeler; Sue Bendsen; Larry Bunnel; Cesca Vogel; Jim Rogen; REM North Star , Inc.

Approve - HHVS ongoing agreements for Interpreter Services for January 1, 2011- December 31, 2011- Peggy Dolney at \$37/hour; Tanya Holing Mrazek at \$42/hour.

Approve - HHVS ongoing 2011 contract with Rural Minnesota CEP, to provide MFIP Employment Services and Diversionary Work Program, for \$349,284, effective January 1, 2011-December 31, 2011.

Approve - HHVS ongoing non financial contract with the Minnesota Chippewa Tribe, to provide MFIP Native Employment Services and Diversionary Work Program to tribal recipients, effective January 1, 2010-June 30, 2011.

Approve - HHVS contract for Medical Consultant with Burton Haugen, MD, for January 1, 2011-December 31, 2011, not to exceed \$2,000.00.

Approve - HHVS 2011 Purchase of Service Agreement for Case Management Supervision/Consultation with: Sarah Tarutis, NP, for Adult Mental Health Services, for two hours each month, not to exceed \$3,000.

Accept - Donation to HHVS in the amount of \$1,000 in gift cards for families in need from the Angels of St. Agnes Catholic Church in Walker.

Approve - Request to transfer the existing easement issued to James and Patricia Negaard to The Shores At Pine Point, LLC, Gold Country Properties LLC, and Israel and Nicole Moe.

Approve - Purchase pagers with the 5% match (\$825) for the Pine River Fire Department Voice Pager Grant (EMW-2009-FO-01827) from FEMA (total awarded amount \$16,500).

M/S/P Downham, Dowson – To approve apparent low bid on Bid Package #1 Solar Hot Water System to KMI Mechanical in the amount of \$94,223.00, and further, to reject bids for Bid Package #2 Wind Tower & Electrical Improvements, and Bid Package #3 Window Replacement Unit Pricing for the Deep Portage Learning Center – Energy Efficiency & Conservation Improvements. Unanimous.

<u>Bidder</u>	<u>Bid Package #1 Solar Hot Water System</u>	<u>Bid Package #2 Wind Tower & Electrical Improvements</u>	<u>Bid Package #3 Window Replacement Unit Pricing</u>
KMI Mechanical Renewable Natural Energies Keupers, Inc.	\$94,223.00	\$127,186.49	\$2,820.(Casement Window) \$2,500.(Fixed Window)

- 2B. Administrator Yochum summarized the Ad-Hoc Committee of the Board (Downham, Peterson) Dog Control Meeting of November 16, 2010. Items discussed were the statutory options for cities, townships, and counties, existing Cass County dangerous dog enforcement, and neighboring counties survey on dog control methods.

M/S/P Peterson, Kangas – To approve the recommendation of the Ad-Hoc Committee: to maintain the present policy of countywide enforcement of the dangerous dog statute, to refer animal control ordinance requests to Cass County Townships or Cities, and to refer Leech Lake Band members to the Leech Lake Band Animal Control Office. Unanimous.

- 2C. Administrator Yochum reported on the Personnel Committee of the Board (Demgen, Dowson) meeting of December 3, 2010. Items discussed were: labor negotiations with Operating Engineers Local 49 Highway Unit; a committee response to AFSCME units scheduled for December 17, 2010; the Sheriff's Office 2011 staffing plan including creating a shift commander position and not filling a sergeant position vacancy created by the appointment of Erick Høglund to Chief Deputy; the 2011 reduction in hours; and the 2011 elected official wages.

M/S/P Downham, Peterson – To approve the recommendation of the Personnel Committee to authorize a grade rating review from PEHRP for a Sheriff's Office Shift Commander as an exempt supervisory position. Unanimous.

M/S/P Kangas, Dowson – To approve the recommendation of the Personnel Committee to table the 2011 reduction in hours until the regular meeting of Tuesday, December 21, 2010 – as part of the final 2011 budget adoption. Unanimous.

- 2D. Mr. Yochum presented draft changes to the Cass County Fee Schedule dated January 16, 2007, and requested Board action to establish a public hearing on the same for Tuesday, January 4, 2011.

M/S/P Peterson, Kangas – To establish a public hearing to consider any changes to the Cass County Fee Schedule on Tuesday, January 4, 2011, during the meeting which begins at 9:00 a.m., in the Commissioner's Board Room, 1st floor Courthouse Annex, Walker, Minnesota. Unanimous.

- 2E. Administrator Yochum presented a resolution that establishes elected Department Head compensation for 2011.

M/S/P Kangas, Dowson – To approve the recommendation of the Personnel Committee to table the 2011 elected department head wages until the regular meeting of Tuesday, December 21, 2010 – as part of the final 2011 budget adoption. Unanimous.

- 2F. Administrator Yochum presented the resolution that establishes the Board of Commissioners compensation for 2011.

M/S/P Kangas, Dowson – To approve the recommendation of the Personnel Committee to table the 2011 County Board of Commissioners wages until the regular meeting of Tuesday, December 21, 2010 – as part of the final 2011 budget adoption. Unanimous.

- 2G. Administrator Yochum reported that Governor-elect Mark Dayton is considering various appointments to State Commissioner positions.

Commissioner Dowson offered Resolution No. 65-10 and moved its adoption, Commissioner Downham seconded:

BE IT RESOLVED: that the Cass County Board of Commissioner's of Walker, Minnesota hereby recommend that former State Representative District 4A Frank Moe be appointed to the position of Commissioner of the State of Minnesota Department of Natural Resources.

Resolution No. 65-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 3A. HHVS Director Ane Rogers presented the Child Placement Costs for October 2010 in the amount of \$193,769.

M/S/P Dowson, Peterson – To receive & file the Child Placement Costs for October 2010 in the amount of \$193,769. Unanimous.

- 3B. Ane Rogers and Reno Wells presented the annual Cass County Screening Team Report. Mr. Wells discussed the 40 cases screened from September 2009 through September 2010 - by agency, by age, by gender and by chemicals involved. Mr. Wells presented Resolution No. 66-10 establishing the 2011 Cass County Screening Team for Out-of-Home Placements and thanked the Board for its participation.

Commissioner Peterson offered Resolution No. 66-10 and moved its adoption; Commissioner Dowson seconded:

Resolution Establishing the 2011 Cass County Screening Team for Out-of-Home Placements

WHEREAS, The out-of-home placement of children is an interdisciplinary, and multi-jurisdictional process, and
WHEREAS, Coordination of all available resources is necessary to benefit affected families, and the interests of the public at large, and
WHEREAS, County Boards of Commissioners bear part of the responsibility to effectively administer related Federal, and State Law.
NOW THEREFORE, BE IT RESOLVED,

1. That the County of Cass hereby establishes the 2011 Cass County Screening Team:
 - a. Health, Human, and Veterans Service Director – Reno Wells (Chair)
 - b. Probation Director or designee
 - c. Leech Lake Band Appointee
 - d. Mental Health Professional – Karen Holle
 - e. Guardian Ad Litem Designee
 - f. County Board Member
 - g. County Attorney or designee
 - h. Cass County Sheriff or designee
 - i. Cass County Social Services Team Leader (to be appointed by HHVS Director)
2. That the County of Cass hereby assigns all applicable administrative authority for the out-of-home-placement of children to the Cass County Screening Team.
3. That the Cass County Screening Team shall submit a status report at least annually to the Board of Commissioners and the District Court.
4. That this resolution is effective upon its adoption.

Resolution No. 66-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 3C. Ms. Rogers reported back on the tabled 2011 Cass County/Leech Lake Reservation Family Services Collaborative Initiative, Inc. Interagency Agreement. Director Rogers reviewed the Cass County contributions – Community Services Act (CCSA) funds up to \$33,000 for the position of Children's Mental Health Coordinator (One half of the amount to be paid upon receipt of itemized invoice for services provided January through June, 2011. Second half to be paid within the limits of available funding, after July 1, 2011 and upon separate County Board approval). identified savings in out-of-home placement costs up to \$25,000 for Mental Health services (One half of the amount to be paid upon receipt of itemized invoice for services provided January through June, 2011. Second half to be paid within the limits of available funding, after July 1, 2011 and upon separate County Board approval), and a contribution of \$5,000.00 to the Cass County/Leech Lake Reservation Children's Initiative. Unanimous.

M/S/P Dowson, Kangas – To approve the 2011 Cass County/Leech Lake Reservation Family Services Collaborative Initiative, Inc. Interagency Agreement for Fiscal Year 2011 as presented. Unanimous.

- 3D. Ms. Rogers presented a South Country Health Alliance Transition Report: New PMAP plans will be Blue Plus, Medica, & UCare which are the same plans that HHVS had prior to SCHA; Mailed out 997 PMAP open enrollment packets with approximately 50% of the mailing cost is federally reimbursable; Mailed out 88 MSHO (MN Senior Health Options) open enrollment packets with the only change in MSHO plans is that SCHA is no longer available, Blue Plus, Medica, & UCare had provided this option before and will continue to do so: Effective January 1, 2011 the only health plan available to disabled people under 65 will be Medica—SCHA is ending and Blue Plus has terminated their contract for this eligibility group, with most of these clients will change to fee-for-service with their enrollment in a health plan is optional: If clients don't choose a PMAP plan, they will be fee-for-service for January and possibly February as well; If clients choose a plan and then decide they don't like it, they can change to a different plan if they do so within 60 days. Mr. Rogers also noted that HHVS has had a good response with clients choosing their health plan and also many phone calls from clients with questions. No action necessary.
- 3E. HHVS Collections Supervisor Linda Nye discussed the establishment of a new HHVS collection fee and guidelines for all accounts referred to HHVS. The purpose of the fee would be to encourage prompt payments and to offset a portion of the costs to collect delinquent accounts. Pursuant to Minnesota Statute 373.41 a one time fee of \$35.00 could be charged to all accounts referred to Cass County HHVS Collections Unit. Ms. Nye added that the fee could be applied to any new or existing account with a balance in excess of \$25.00. The fee could apply to all debt types including but not limited to public assistance overpayments, detox fees, parental fees, public health fees and child care overpayments. Excluded from the policy could be public assistance overpayments created by worker error as defined by Minnesota Department of Human Service rules, or other debts excluded by statute. All existing accounts could be sent written notice of the new fee.
- M/S/P Downham, Kangas – To approve the addition of the proposed HHVS collection fee to the public hearing related to fees scheduled on Tuesday, January 4, 2011, during the meeting which begins at 9:00 a.m., in the Commissioner's Board Room, 1st floor Courthouse Annex, Walker, Minnesota. Unanimous.
- 3F. Probation Director Reno Wells informed the Board that retiring HHVS Director Ane Rogers is the recipient of the 2010 Barbara O'Grady excellence in Public Health Leadership Award from the Local Public Health Association of Minnesota. The Board congratulated Ms. Rogers on her award. No action necessary.

- 4A. County Planner-Solid Waste Administrator Paul Fairbanks reported to the Board a request by the Longville City Council for Cass County to assist in planning and zoning functions. Mr. Fairbanks added that after presentation to the City Planning Commission last summer, the City Council passed a motion to request Cass County ESD to develop and implement an agreement that would allow Cass County ESD to provide services on a fee-based schedule. The process would work very similar to the existing arrangement with City of East Gull Lake.

M/S/P Dowson, Downham – To approve the Planning and Zoning Administration Service Agreement with the City of Longville as presented. Unanimous.

- 4B. Mr. Fairbanks informed the Board that Cass County is scheduled to receive \$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". The 3-year MNDNR/LCCMR work plan specifies Cass County will subcontract with the Minnesota Land Trust to provide services on 12 to 15 conservation easements to assess conservation values, review easement drafts and supporting documentation.

M/S/P Dowson, Peterson – To approve the contract with the Minnesota Land Trust not to exceed \$15,000.00 for the Conservation Easement Project Assistance beginning January 1, 2011 through June 20, 2012. Unanimous.

- 4C. John Sumption of Sumption Environmental presented the preliminary Gull Lake Micropolitan Area Cooperative Agreement with Cass and Crow Wing Counties, the Cities of East Gull Lake, Lakeshore and Nisswa, and Fairview Township. Mr. Sumption added that the entities have actively participated as Partners in the Gull Lake Micropolitan Pilot Project to achieve the goals of developing model wastewater and storm water standards, common planning definitions and processes, a multi-jurisdictional trail network, and model conservation development guidelines. The local units of government have focused on sharing resources, conserving funds by increased efficiency, and enhancing customer service. Mr. Sumption also invited the Board to the Gull Lake Micropolitan Meeting set for December 20, 2010 beginning at 1:00 p.m., Nisswa, MN.

M/S/P Kangas, Peterson – To approve the preliminary Gull Lake Micropolitan Area Cooperative Agreement with Crow Wing County, the Cities of East Gull Lake, Lakeshore and Nisswa, and Fairview Township as presented. Unanimous.

Mr. Sumption also presented the Gull Lake Walking and Biking Trail Cooperative Agreement for Cass County, Crow Wing County, the Cities of East Gull Lake, Lakeshore, Nisswa, and the Township of Fairview. The Cooperative Agreement will enhance recreational experiences for residents and visitors, coordinate trail-wide administration. Site-specific management will remain with the local units of government.

M/S/P Downham, Kangas - To approve the preliminary Gull Lake Walking and Biking Trail Cooperative Agreement for the Gull Lake Walking and Biking Trail with Crow Wing County, the Cities of East Gull Lake, Lakeshore, Nisswa, and the Township of Fairview as presented. Unanimous.

- 5A. Highway Engineer Dave Enblom presented a request from Paul & Diane Hipsher to vacate a portion of the existing highway right of way adjacent to their property along (0.26 acres) CSAH#54 in Wabedo Township.

Commissioner Dowson offered Resolution No. 67-10 and moved its adoption, Commissioner Peterson seconded:

PURSUANT TO MN. STAT. 163.11 Subd.4, it appears to the Cass County Board of Commissioners, State of Minnesota; that a portion of the existing right-of-way for the road hereinafter described should be vacated;

NOW THEREFORE, be it resolved that Cass County Board of Commissioners, State of Minnesota, that the road described as follows to-wit: All right, title, and interest lying beyond 60 feet right of the centerline of County State Aid Highway 54, described as beginning and Engineer's centerline station 242 + 47 and ending at Engineer's centerline station 245 + 97, located in Section 3, Township 140 North, Range 28 West, shall be and hereby is vacated.

Resolution No. 67-10 adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 5B. Mr. Enblom presented a request from the City of East Gull Lake to utilize Conservation Fund 73 in the amount of \$70,000.00. Mr. Enblom reported that these funds would match other sources and complete the system westerly to Fairview Township and Southerly to Sylvan Township. Mr. Yochum explained three pending voluntary septic system inspection projects - Ten Mile ISTS in the amount of \$5,000 with a 50% local match ; Lake Margaret ISTS in the amount of \$4,350 with a 75% local match ; and Sylvan Lake ISTS in the amount of \$3,250 with a 75% local match. Chief Financial Officer Larry Wolfe reviewed the Conservation Fund #73 activity for FY2010.

M/S/P Downham, Peterson – To approve the request from the City of East Gull Lake for funding from Conservation Fund #73 in the amount of \$70,000.00 for Phase 4 and Phase 5 to construct a multiuse year-round recreation trail. Unanimous.

M/S/P Kangas, Downham – To approve the request from ESD for funding from Conservation Fund #73 for Ten Mile Lake ISTS inspections in the amount of \$5,000; Lake Margaret ISTS inspections in the amount of \$4,350; and Sylvan Lake ISTS inspections in the amount of \$3,250. Unanimous.

- 6A. Sheriff Randy Fisher reviewed the history and current status of the ARMER (Allied Radio Matrix Emergency Response) Project including the most recent ARMER Implementation Committee Report of November 19, 2010. Rey Freeman of GeoComm commented on the project time table. Kerry Swenson provided a detailed listing of radio and paging equipment to be provided to 31 public safety responders based in Cass County. Chris Lentz of Motorola, Inc. explained the change order process in the event that the final quantities vary from current estimates and the current promotional discounts. Sheriff Fisher presented a revised project budget dated November 30, 2010 in the amount of \$4,824,228 and recommended entering into an equipment purchase contract of \$3,522,831. with Motorola, Inc. based on the State of MN contract less promotional discounts.

M/S/P Dowson, Kangas – To approve the revised ARMER project budget dated November 30, 2010 in the amount of \$4,824,228.00. Unanimous.

M/S/P Downham, Peterson – To approve entering into a contract with Motorola, Inc based upon State of MN contract prices less promotional discounts in the net amount of \$3,522,831.00 for the purchase of 800 MHz System Equipment for the implementation of the ARMER Project. Unanimous.

7. Administrator Yochum reported that area MN State Legislators have accepted invitations to the regular Cass County Board of Commissioners Meeting of Tuesday, December 21, 2010, Commissioners Board Room, Courthouse, Walker, MN.
8. Chairman Demgen recessed the meeting at 4:30 P.M. and reconvened the Board Meeting at 6:00 p.m. with the flag pledge.
9. Chairman Demgen convened the Truth-N-Taxation public hearing on the proposed 2011 Cass County budget and property tax levy at 6:00 p.m. on Tuesday, December 9, 2010 in the Commissioners Board Room of the Courthouse, Walker, MN. Commissioners present: Demgen, Downham, Dowson, Kangas, and Peterson. Commissioners absent: None.

Additional County representatives present for the meeting included: Robert H. Yochum, Administrator; Sharon Anderson, Auditor-Treasurer; Larry Wolfe, Chief Financial Officer; Mark Peterson, Assessor; Sandy Pence, Assessor's Office; Penny Vikre, Assessor's Office; Melanie Wolfe, Health, Human, & Veteran Services, Reno Wells, Probation Director.

Members of the public: Robert Andrews, and Tom Hill.

- 9A. County Administrator Yochum acknowledged that notice of this Truth-In-Taxation hearing was provided in the 38,557 parcel notices as provided by State law.

Chief Financial Officer Larry Wolfe gave an overview of the County budget process and summarized the 2011 budget as recommended by the Citizen Budget Committee to date. Mr. Wolfe also presented some budget highlights and subsequent adjustments including: budgeted expenses are down 3.48% or \$1,776,255; the required levy before contingency is down 2.61% or \$528,741; the budgeted contingency is at \$1,000,059; the estimated reduction in State Payment in Lieu of Tax is \$160,000 due to value reductions; the Capital Levy of \$284,000 was moved to the Road and Bridge Fund designated for future equipment needs; the budget reflects the change of Emergency Management Director to a full time position as well as staffing changes due to the election of a new Sheriff; an increase in indirect cost allocation to Environmental Services and the Land Department as specified in the Cost Allocation Plan; and Board action for per diem payments for HRA Board members.

Mr. Wolfe added that any written comments regarding value or classification have been forwarded to the Assessor's Office for a response.

- 9B. Chairman Demgen asked the audience for comments related to the Cass County Budget. Robert Andrews addressed the Board with an assessment question.
- 9C. M/S/P Kangas, Peterson - To close the hearing and table adoption of the 2011 Cass County Levy & Budget until Tuesday, December 21, 2010, at the regular Cass County Board of Commissioners Meeting, beginning at 9:00 a.m., Board Room, 1st Floor Annex, Courthouse, MN. Unanimous.
10. Chairman Demgen adjourned the meeting at 6:13 p.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator