

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
January 18, 2011**

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, January 18, 2011, with the flag pledge, in the Land Department Meeting Room, Backus, MN. Commissioners present: Downham, Dowson, Gaalswyk, 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
Tom Fitzpatrick	Labor Legal Counsel	Josh Stevenson	Land Commissioner
Tom Burch	Cass County Sheriff	Kathryn Norby	County Recorder
Ane Rogers	HHVS	Reno Wells	HHVS Director
John Ringle	ESD Director	Tim Richardson	Central Services Director
Terri Foster	Cass County Ag. Assn.	Barb Frederick	Cass County Ag. Assn.
Gail DeBoer	Pilot Independent		

- 1B. M/S/P Peterson, Kangas - To approve the agenda items for discussion as presented and the addition of Item 1C. (Request to be heard from the Cass County Agricultural Association – Pine River), and Item 3A.14 (Receive & file appointment of Michael Oates, Motor Equipment Operator). Unanimous.

- 1C. Cass County Agricultural Association President Terri Foster and member Barb Frederick appeared before the Board to present a funding request of \$7,500.00 for the 2011 Cass County Fair scheduled for June 30 through July 3, 2011 in Pine River, MN. The funding allocation will help defray maintenance/building repairs to the 4-Buildings, purchase of fencing around the fairgrounds, provide panels to stall animals, expenses for premiums/ribbons, and judging fees. Ms. Foster, and Ms. Frederick also thanked the Board for continued funding of the Cass County 4-H Program reporting that there are 175 participating in the Cass County 4-H Program. The Board noted that a request from the Cass County Ag Society – Pillager is on this consent agenda (Item 3A.28). Administrator Yochum reported that the 2011 Budget as recommended by the Citizen Budget Committee includes an amount of \$5,000.00 for each Cass County fair organization and that the funding request of \$7,500.00 from the Cass County Agricultural Association- Pine River had been previously referred to the Citizen Budget Committee (December 21, 2010 Board Meeting).

M/S/P Kangas, Peterson – To refer the Cass County Agricultural Association-Pine River funding request in the amount of \$7,500.00 and further, to refer the funding request from the Cass County Ag Society-Pillager to the Cass County Citizen Budget Committee. Unanimous.

- 2A. M/S/P Downham, Gaalswyk - To close the meeting to the public pursuant to MN Statutes 13D.03 (labor negotiation strategy) at 9:20 a.m. Unanimous.

Present at the closed session were all Board members, Administrator Yochum, Legal Counsel Tom Fitzpatrick, Sheriff Tom Burch, Land Commissioner Josh Stevenson, and Chief Financial Officer Larry Wolfe.

M/S/P Peterson, Kangas – To open the meeting to the public at 9:45 a.m. Unanimous.

- 3A. County Administrator Robert Yochum presented to the Board the following matters:

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

Approve - Board Minutes of January 4, 2011.

Approve - Auditor manual warrants (Batch #1) dated December 2010 in the amount of \$5,037,308.84.

Approve - Auditor manual warrants (Batch #2) dated December 2010 in the amount of \$1,152,342.59.

Approve - Auditor manual warrants (Batch #3) dated December 2010 \$2,432.00(33111.4266) grant coding correction to (33111.6264).

Approve - Auditor warrants dated December 30, 2010 in the amount of \$498.00.

Approve - Auditor warrants dated December 30, 2010 in the amount of \$115,427.80.

Approve - HHVS Auditor warrants dated December 30, 2010 in the amount of \$154.00.

Approve - HHVS Auditor warrants dated December 30, 2010 in the amount of \$22,331.55.

Approve - HHVS Commissioner warrants dated December 30, 2010 in the amount of \$14,575.74.

Approve - Auditor warrants dated January 6, 2011 in the amount of \$1,371,960.06.

Approve - HHVS Auditor warrants dated January 7, 2011 in the amount of \$46,497.25.

Approve - HHVS Commissioner warrants dated January 7, 2011 in the amount of \$50,592.84.

Receive & file - Monthly Budget Reports.

Approve Personnel Actions - Budgeted positions scheduled for replacement: Approve - PEHRC's grade evaluation rating for Sheriff's Office - Shift Commander/Lieutenant Exempt (No overtime) position at grade 36. Approve - PEHRC's grade evaluation rating for Sheriff's Office - Shift Commander/Lieutenant Non-Exempt (Overtime eligible) position at grade 34. Receive & file - Appointment of Sheriff's Office Sgt. L. Scott Thompson, Shift Commander, grade 34 step 7 (+3%) effective January 18, 2011. Receive & file - Intent to fill open Sheriff's Office Sergeant position created by promotion of Sgt. Scott Thompson. C. Other - Receive & file - Appointment of Sheriff's Office full-time Deputy/Dispatcher/Jailer Travis Collette, at grades 27&21. Receive & file - Appointment of Sheriff's Office full-time Deputy/Dispatcher/Jailer Brad Rittgers, at grades 27&21. Receive & file - Appointment of Sheriff's Office full-time Deputy/Dispatcher/Jailer, Rick Wolske, at grades 27&21. Receive & file - Appointment of Michael Oates, Motor Equipment Operator, Pine River Maintenance Shop, grade 20, step 1, effective January 24, 2011.

Approve - Appointment of Cynthia Carlson to the HHVS Advisory Committee – representing Families and children, term ending Dec. 31, 2012.

Receive & file - Auditor-Treasurer's Interest Income Report for December 2010.

Approve Assessor's Office Abatelements - Joan Adkins - Bull Moose, Homestead 2009/2010; Joan Adkins - Bull Moose, Homestead 2008/2009; Dennis Udean – Rogers, Cancel Lease 2009/2010

Approve - Execution of 2008 State Homeland Security Grant with MN Public Safety (CFDA97.0672008-HSGP-00794/2000-15278) – in the amount of \$127,000.00.

Approve - Execution of 2009 State Homeland Security Grant with MN Public Safety (CFDA97.067-2009-SHSP-00558/2000-15279) – in the amount of \$107,000.00.

Commissioner Peterson offered Resolution No. 08-11 and moved its adoption; Commissioner Kangas seconded:

WHEREAS, the Cass County Sheriff is empowered to sign the 2008 State Homeland Security Grant with MN Public Safety (CFDA97.0672008-HSGP-00794/2000-15278) in the amount of \$127,000.00, and the 2009 State Homeland Security Grant with MN Public Safety (CFDA97.067-2009-SHSP-00558/2000-15279) in the amount of \$107,000.00.

NOW, THEREFOR BE IT RESOLVED, That the Cass County Board of Commissioners approve and authorize the Cass County Sheriff to sign official documents where appropriate on behalf of the County as they are approved by the Cass County Board of Commissioners.

Resolution No. 08-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Approve - Distribution of Chippewa National Forest 25% Fund payment for 2010 in the amount of \$397,555.78.

Approve - HHVS Purchase of Service Host County Agreement with Little Sand Group Home for Residential Foster Care, effective 1/01/2011-12/31/2011, per diem remains the same at \$168.44.

Approve - Continued 2011 HHVS Agreement-Community Health Information Collaborative for administration and coordination of the Minnesota Information Connection Immunization Registry (MIIC), for January 1, 2011- December 31, 2011.

Approve - HHVS Purchase of Service Host County Agreement for 1st Step Backus-Residential Treatment, effective 1/01/2011-12/31/2011, per diem same as 2010.

Approve - Appointment of Cindi Wisehart to the Cass County HRA, term ending Dec. 31, 2015 (one year increments).

Authorize - Financial contribution for FY2011 to Cass County Economic Development Corporation in the amount of \$37,500.00.

Authorize - 4th quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

Authorize - Financial contribution for FY2011 to the Mississippi Headwaters Board in the amount of \$1,500.00.

Accept - Donation from Scott Stuart in the amount of \$350.00 to clear downed trees from Snowmobile Trail in Deep Portage.

Receive & file – Contract with Debra Rico, Home Health Aide, Public Health Division, effective 1/4/2011, at \$12.80/hr (2009 rate).

Approve - HHVS 2011 non financial Amendment Home and Community-Based Services Contracts effective Jan. 1, 2011 – Dec. 31, 2011.

- 3B. Administrator Yochum summarized recent Personnel Committee of the Board (Dowson, Downham) meetings related to the problems associated with the continuation of the mandatory reduction of 64 hours. Mr. Yochum reported that the termination of the mandatory reduction of 64 hours will provide needed hours of work at the 2010 rates and will facilitate labor agreements for the years 2011 and 2012.

M/S/P Downham, Peterson – To terminate the mandatory reduction of 64 hours for all Cass County personnel effective immediately (January 8 through January 21 pay period - paid on February 4, 2011). Unanimous.

- 3C. Administrator Yochum presented Resolution No. 05-11 appointing the HHVS Director (presently Reno Wells) as Community Health Services Administrator for Cass County.

Commissioner Gaalswyk offered Resolution No. 05-11 and moved its adoption, Commissioner Downham seconded:

Cass County Health, Human and Veterans Services Board
HHVS Board Agent and Signature Authorization

WHEREAS, the Cass County Health, Human, and Veterans Service Board, was formed to serve as the Human Services Board in accordance with Minnesota Statutes Chapter 402; and

WHEREAS, the Cass County Board of Commissioners has assigned the powers and duties of a Community Health Board to the Cass County Health, Human and Veterans Service Board; and

WHEREAS, Minnesota Statute 145A.04, Subdivision 2, requires a Board of Health to appoint an agent to act on its behalf,

THEREFORE, BE IT RESOLVED, that the Cass County Health, Human, and Veterans Service Board does hereby appoint and authorizes the following person to act on the Board's behalf and bind the Board for the following purpose(s):

- A. To serve as the Board's agent according to Minnesota Statutes 2003 Chapter 145A, in communicating with the Commissioner of Health between Board meetings, including receiving information from the Commissioner of Health and disseminating that information to the Board, as well as providing information the Commissioner on the Board's behalf.
- B. To act as the CHS Administrator for Cass County.
- C. To sign and submit to the Commissioner the prepared Local Public Health Grant and any other applicable grant documents and to sign all contracts with the Minnesota Department of Health.
- D. To sign and submit to the Commissioner any revisions to the Local Public Health Grant priorities and outcome or activity reports according to the Minnesota Statutes 2003 Chapter 145A.
- E. To sign and submit to the Commissioner the CHS budgets, budget revisions, and expenditure reports according to Minnesota Statutes 2003 Chapter 145A.
- F. To be responsible for the investigation and follow-up of public health nuisance complaints.

The Cass County Health, Human, and Veterans Services Director, 400 Michigan Ave., PO Box 40, Walker, MN 56484-0519.

Resolution No. 05-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4A. Chief Financial Officer Larry Wolfe presented the 2011 budgeted capital equipment list and requested authorization for departments to make related purchases based upon solicitation of competitive prices per State law.

M/S/P Gaalswyk, Kangas – To approve the 2011 equipment list in the budgeted amount of \$1,193,098.00 and to authorize purchases based upon solicitation of competitive prices pursuant to applicable law. All technology purchases to receive prior approval from the Central Services Director and all other equipment purchases to receive prior approval from the Administrator and CFO. Unanimous.

- 4B. Mr. Wolfe informed the Board of the receipt of the final payments from the MN Department of Administration in the amount of \$449,390.14 (December 29, 2010) and from MN Department of DEED in the amount of \$165,542.80 (January 10, 2011) for the AGC reuse grant projects including demolition, abatement and infrastructure improvements. Mr. Wolfe also presented correspondence from the Cass County EDC to the City of Walker expressing interest to work with the City on the redevelopment of the AGC site, and pursue funding from the 2011 MN State Legislature to further prepare the site for reuse consistent with prior funding legislation.

M/S/P Gaalswyk, Peterson – To receive and file final payments from the MN Department of Administration in the amount of \$449,390.14 and the MN Department of DEED in the amount of \$165,542.80 for the AGC reuse grant projects. Unanimous.

- 5A. Land Commissioner Josh Stevenson presented bids that along with Crow Wing County requested proposals on a total 7 properties (5 properties in Cass and 2 in Crow Wing). Mr. Stevenson added that each County will fund their own projects with the Cass County portion to be paid from the Solid Waste Assessment Fund. Mr. Stevenson also reported that the local units of Government are aware of the demolitions and will be contacted by successful bidders to obtain any necessary permits.

M/S/P Downham, Peterson – To award Cass County projects as follows: Project 1-16469 65th Ave NW, Cass Lake, MN 56633, PIN# 29-005-4410, to T&C Excavating not to exceed \$4000; Project 2- 12122 State 371 NW, LaPorte, MN 56461, PIN# 49-032-4206, to Schrupp Excavating not to exceed \$2400 including the abatement; Project 3-16690 69th Ave NW, Cass Lake, MN 56633, PIN# 29-005-2200, to T&C Excavating not to exceed \$2000; Project 4- 14838 Second Ave W, Bena, MN 56626, PIN# 72-027-4309, to T&C Excavating not to exceed \$3600; Project 5- 320 Wood St N, Backus, MN 56435, PIN# 82-337-0510, Lots 1 Thru 5, Block 5, Original Plat, (Trees to Remove around Buildings) demolition to Kurt Sawyer and Tyler Crow not to exceed \$1490; Project 5 - Abatement to ACCT, Inc. not to exceed \$750, with demolition projects paid from the Solid Waste Assessment Fund. Unanimous.

Bidder	Site 1	Site 2	Site 3	Site 4	Site 5	Site 6	Site 7
Holmvig Excavating	\$10,700.00	\$5,200.00	\$6,900.00	\$7,000.00	\$6,100.00	\$5,500.00	\$3,980.00
<i>T&C Excavating</i>	<i>\$4,000.00</i>	(A I)	<i>\$2,000.00</i>	<i>\$3,600.00</i>	(A I)	NA	NA
Anderson Brothers	NA	\$1,500.00	NA	NA	\$2,200.00	NA	NA
John Benson	NA	NA	NA	NA	\$4,500.00	\$9,500.00	\$3,200.00
North Fork Excavating	\$7,900.00	NA	NA	NA	(A I)	NA	NA
Grivette Environmental	NA	\$2,850.00	NA	NA	\$1,850.00	NA	NA
<i>Schrupp Excavating</i>	\$10,500.00	(Abate)	<i>\$2,400.00</i>	<i>\$7,400.00</i>	(Abate)	<i>\$5,100.00</i>	NA
Houle Excavating	\$11,860.00	<i>\$3,989.00</i>	<i>\$8,800.00</i>	<i>\$6,700.00</i>	<i>\$3,700.00</i>	<i>\$5,100.00</i>	<i>\$1,900.00</i>
Abatetec	NA	(A I)	NA	NA	<i>\$3,750.00</i>	<i>\$6,800.00</i>	<i>\$1,900.00</i>
American Disposal	\$10,450.00	\$3,500.00	NA	NA	\$1,800.00	NA	NA
<i>DeChantel</i>	\$10,800.00	(Abate)	NA	NA	\$2,950.00	NA	NA
Storlie Construction	\$4,350.00	NA	\$3,495.00	\$3,950.00	\$2,950.00	\$4,850.00	\$3,980.00
<i>Kurt Sawyer</i>		\$6,590.00	\$7,250.00	\$12,390.00	\$5,150.00	NA	NA
<i>and Tyler Crow</i>	\$6,390.00	\$2,500.00	\$4,350.00	\$4,400.00	NA	NA	NA
<i>ACCT, Inc.</i>	NA	\$1,490.00	\$5,800.00	\$3,990.00	<i>\$1,490.00</i>	\$15,990.00	\$975.00
		<i>\$1,650.00</i>	NA	NA	<i>\$750.00</i>	NA	NA
		(Abate)			(Abate)		

- 5B. Mr. Stevenson reported to the Board the need for a personal property sale pursuant to MN Statute 282.04 Sub 2 D at the Pine River Bookstore located in the City of Pine River that had forfeited to the State of Minnesota for the non-payment of taxes on August 31, 2010. Mr. Stevenson indicated that 3,000 to 4,000 books have been abandoned on the property. Mr. Stevenson requested board authorization to solicit bids from several book dealers for the purchase of the book collection, and if unsuccessful, donation to public entities, and any remainder properly disposed of.

M/S/P Gaalswyk, Kangas – To authorize the Cass County Land Department to sell, gift to public entities, or properly dispose of abandoned personal property pursuant to MN Statute 282.04 Sub 2 D located at the former Pine River Bookstore in the City of Pine River, and further that any net proceeds be deposited in the forfeited tax sale fund for distribution in the same manner as if the parcel had been sold. Unanimous.

- 6A. County Recorder Katie Norby presented a status report on dungeon document scanning project. Ms. Norby reported that previous Board action on September 7, 2010 authorized the negotiation of contract terms with MidAmerica Business Solutions to image approximately 100 years of tax and assessment records and to make the same available on the County website for the public to view at no charge. Recorder Norby presented a detailed price quotation/contract per image from MidAmerica Business Solutions estimating the filming, scanning, and film scanning cost in the amount of \$83,237.18. The actual cost will be determined upon final image volume and sales tax if applicable. Central Services Director Tim Richardson added that the amount of the price quote is slightly higher than before due to the fact that Cass County will need two sets of data files: one high resolution for in-house records and one set of compressed records with much smaller file sizes to be available on the county website for the public to view. Mr. Richardson estimated the total project cost not to exceed \$100,000. Ms. Norby also stated that the plan after scanning the books will be offered to the local government jurisdictions, then to the local historical society, then public auction, and then disposed of.

M/S/P Downham, Kangas – To authorize County Recorder Katie Norby to accept the price quotation/contract per image from MidAmerica Business Solutions for the filming, scanning, and film scanning of approximately 100 years of tax and assessment records not to exceed \$100,000.00 (from general fund balance). Unanimous.

7A. ESD Director John Ringle presented the 2010 Annual Planning and Zoning activity report. Overall activity was down slightly in 2010 compared to 2009 with 1090 permit and zoning actions in 2010 versus 1135 permit actions in 2009. Revenue was also slightly down in FY 2010 by \$7,091 on permit and zoning actions from \$296,576 in 2009 to \$289,485 in 2010. Permit and zoning action fees for 2010 were down by \$69,211 when compared to FY 2008. Mr. Ringle added that it appears that fee revenue has stabilized in 2010. No action necessary.

7B. Mr. Ringle presented a draft 2011 Sewer Inspection Contract for Cass County Individual Septic Treatment System (ISTS) contract inspection of newly installed systems. Mr. Ringle requested authorization to solicit competitive bids in February of 2011 with award of bids in March for an April 1, 2011 start date.

M/S/P Peterson, Kangas – To authorize soliciting competitive bids for 2011 Cass County Individual Septic Treatment System (ISTS) contract inspection as presented. Unanimous.

7C. Mr. Ringle reported that an SWCD Liaison Committee (Cass County Commissioners Jeff Peterson, and Neal Gaalswyk and SWCD Board members of Dave Harder and Will Pehling) meeting has been tentatively scheduled for Thursday, February 3, 2011 and invited all Board members to suggest any agenda items for discussion. No action necessary.

7D. Mr. Ringle reviewed the Planning Commissions' 2010 reclassification of zoning districts and revisions to the land use zoning map in the Townships of Birch Lake, Fairview, Homebrook, and Moose Lake.

M/S/P Peterson, Downham – To approve the 2010 reclassification of zoning districts and revisions to the land use zoning map in the Townships of Birch Lake, Fairview, Homebrook, and Moose Lake as presented. Unanimous.

8. Administrator Yochum discussed the upcoming meeting schedule:

M/S/P Kangas, Gaalswyk – To table the 2011 summer schedule of the Cass County Board of Commissioner Board Meetings until the regular Cass County Board Meeting of Tuesday, February 1, 2011. Unanimous.

M/S/P Downham, Kangas – To approve the Board of Commissioners and Department Head attendance at the AMC Joint Legislative Conference, March 23-24, 2011, Crowne Plaza, St. Paul, MN. Unanimous.

9. M/S/P Peterson, Kangas – To close the meeting at 11:00 a.m. pursuant to MN Statutes 13D.05 to provide an exit interview with retiring HHVS Director Ane Rogers, and to conduct a performance evaluation of HHVS Director Reno Wells and further, to report the results of the same at the next regular meeting of Tuesday, February 1, 2011. Unanimous.

Present for the meeting were all County Board members, County Administrator Robert Yochum, retiring HHVS Director Ane Rogers and HHVS Director Reno Wells.

10. Chairman Dowson reopened and adjourned the meeting at 11:45 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator