

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
March 1, 2011**

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, March 1, 2011, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Downham, Dowson, Gaalswyk, Kangas, 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 Deputy Auditor
David Enblom	Highway Engineer	John Ringle	ESD Director
Tom Burch	Sheriff	Paul Fairbanks	County Planner
Sharon Anderson	Auditor-Treasurer	Reno Wells	HHVS Director
Jamie Richter	HHVS Public Health Manager	Brita Sailer	ESD
Carolyn Upton	Walker Ranger District	Dave Morley	Walker Ranger District
Jon Wright	Ten Mile Co. #50 resident	Tracy Wright	County 50/Hackensack, MN
Sandi Krueger	N. Ten Mile Lake	Jim Etzel	Ten Mile – Woods Area
Chuck Tschida	Krueger Family Farm	Dick Evenson	Krueger Family Farm
Donna Evenson	Krueger Family Farm	Ron Wickham	Anderson Brothers Construction
George Young	Young Excavating	Gail DeBoer	Pilot-Independent
Monica Lundquist	Brainerd Dispatch	Allan Olson	Cass Lake Times

- 1B. M/S/P Kangas, Peterson - To approve the agenda items for discussion as presented and the addition of Item 2A14. (Accept a donation from the Association of Cass County Lakes (ACCL) in the amount of \$1,000. for printing of an insert in the 2011 property tax statement), and add Item 2D.(Approve the Local #49 International Union of Operating Engineers labor contract). Unanimous.

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

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

Approve - Board Minutes of February 15, 2011.

Approve - Auditor warrants dated February 17, 2011 in the amount of \$255,106.28.

Approve - HHVS Auditor warrants dated February 18, 2011 in the amount of \$77,965.22.

Approve - HHVS Commissioner warrants dated February 18, 2011 in the amount of \$218,294.88.

Approve - Auditor warrants dated February 24, 2011 in the amount of \$346.00.

Approve - Auditor warrants dated February 24, 2011 in the amount of \$191,609.18.

Approve Personnel Items - A. Budgeted positions scheduled for replacement - Receive & file - Notice of appointment of Jesse Iverson to budgeted vacant Floater Deputy position, grade 27, step 1. Receive & file - Notice of intent to fill the budgeted position of STS Crew Leader. B. Positions scheduled for no replacement: None. C. Other - Approve - Title change of HHVS Administrative Assistant I to Support Services Supervisor to be consistent with MN Merit System classification. 2. Approve - Title change of HHVS Business Manager to Director of Business Management I to be consistent with MN Merit System classification.

Approve Licenses - On & Off Sale 3.2 Beer - Anderson's Cove, Chris Anderson, Leech Lake. Gambling - Northland Lions @ The Pub - Nancy Stefan, Remer Twp.

Approve - City of Remer fire contract for Unorganized Township Jan. 1, 2011 - Dec.31, 2011 in amount of \$904.80/year.

Receive & file - Deep Portage Conservation Foundation Audit from August 31, 2009 and August 31, 2010.

Approve - Out of state travel for Sheriff Deputy Eric Lueth – scholarship to the National Sexual Assault Response Team Training in Austin, TX on May 25-27, 2011.

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 & file - Pillsbury State lands distribution payment from the MN Department of Natural Resources in the amount of \$2,388.98.

M/S/P Downham, Peterson – To receive & file the 2011 draft Cass County property tax insert and further, to accept a donation from the Association of Cass County Lakes (ACCL) in the amount of \$1,000.00 for printing a property tax statement insert focused on curtailing the spread of invasive aquatic species. Unanimous.

Approve - Michael B. McGee M.D. Medical Examiner contract renewal effective January 1, 2011- December 31, 2011.

Approve - HHVS Home and Community Based Services contract amendment with Deer River Health Care & Barnabas Health Cares Services expiring December 31, 2011.

Approve - Pine River US Post Office located at 330 Barclay Ave. West, Pine River, MN renewal lease option extension to June 30, 2013, annual rate of \$37,125.00.

Approve - HHVS Cash Account Balance Comparison for January 31, 2011 in the amount of \$10,563,652.

Approve - HHVS Child Service Costs for January, 2011 in the amount of \$125,803.00.

Authorize - 2011 Grant Agreement (Project #C11-29) from Minnesota Board of Water and Soil Resources competitive grants program in the amount of \$29,632.00.

Authorize - submission of a 2011 Initiative Foundation Healthy Lakes and Rivers Partnership grant application in the amount of \$20,000 for eight lake management plans (Hardy, Sylvan, Blackwater, Norway, Ten Mile, Ponto, Pike Bay and Leech). Unanimous.

Approve - Assessor's Office Abatements - Gerald Bisbey -Ponto Lake, Homestead 2010/2011; Toni Morrison – Shingobee, Cancel PP Lease 2010/2011; Toni Morrison – Shingobee, Cancel PP Lease 2009/2010; Lucille Fisher - Birch Lake, Cancel PPMH 2006/2006.

Approve - Resolution No. 16-11 Sheriff's Office 2011 Boat and Water Safety Grant (#B52681) in the amount of \$57,540.00.

Commissioner Gaalswyk offered Resolution No. 16-11 and moved its adoption; Commissioner Downham seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2011 Annual County Boat and Water Safety Agreement (#B52681) for \$57,540.00 with the State Department of Natural Resources, and authorizes signature of the Chairman, Administrator, and Sheriff to execute the Agreement.

Resolution No.16-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Approve - DataMaster DMT-G breath tester lend/lease Agreement (#BCA-DMT-0022), and authorize Board Chair & Sheriff to execute agreement.

Approve - Change Order #1 for Deep Portage Learning Center to KMI Mechanical in the deduct amount of \$7,247.00.

Approve - Pay request No. 2 for Cass County Energy Upgrade Project to Honeywell in the amount of \$99,132.50.

- 2B. County Administrator Robert Yochum summarized the Personnel Committee of the Board meeting of February 15, 2011. Discussion items included changes in the Cass County Highway Department staffing plan and the Teamsters Local #320 Assistant Attorney Unit negotiations. Mr. Yochum presented a memorandum dated February 2, 2011 from Cass County Highway Engineer David Enblom requesting: placement of three employee's to the budgeted position of Engineering Technician I, and permission to fill a budgeted Equipment Operator position vacant since 2009 in the Hackensack, Walker, & Cass Lake maintenance district. The Highway Department also plans Accounting and Office Support cross training that would reduce staffing by 1 by 2013 with occasional backfill assistance from Courthouse staff.

M/S/P Downham, Peterson – To approve the Personnel Committee of the Board recommendations: placement of Tim Anderson to the budgeted position of Engineering Technician I grade 24 step 9, effective March 7, 2011; placement of Tom Boege to the budgeted position of Engineering Technician I grade 24 step 7 effective March 07, 2011; adding bridge construction inspection duties to the Engineering Technician I job description (eliminate the Bridge/Sign Technician position) and placement of Mike Bolin to the budgeted position of Engineering Technician I grade 24 step 9, effective March 07, 2011; to authorize filling the budgeted Equipment Operator position (vacant since 2009) in the Hackensack, Walker, & Cass Lake maintenance district. Unanimous.

Mr. Yochum presented a tentative agreement with Teamsters Local #320 Assistant County Attorney Unit with the same duration and economic terms as previously approved for the AFSCME Units and the Teamsters Dispatch/Records Unit.

M/S/P Gaalswyk, Downham – To approve the agreement as presented and authorize execution of a collective bargaining contract for calendar years 2011 and 2012 with the Teamsters Local #320 Assistant County Attorney Unit upon Union membership approval. Unanimous.

- 2C. Administrator Yochum reported that the Teamsters Local 320 Deputy/Jail Unit membership approved a tentative agreement February 18, 2011 (same duration and economic terms as all other agreements to date). Mr. Yochum presented the tentative agreement and noted an amendment to the grievance procedure.

M/S/P Kangas, Peterson – To approve the agreement as presented and authorize execution of a collective bargaining contract for calendar years 2011 and 2012 with the Teamsters Local # 320 Sheriff Patrol/Jail Unit. Unanimous.

- 2D. Administrator Yochum reported that the Local #49 International Union of Operating Engineers Highway Unit membership approved a tentative agreement February 28, 2011 (same duration and economic terms as all other agreements to date). Mr. Yochum presented the tentative agreement and noted an amendment to the definition of overtime (similar to other non-exempt units - compensated hours in excess of the normal or adjusted work week).

M/S/P Peterson, Downham – To approve the agreement as presented and authorize execution of a collective bargaining contract for calendar years 2011 and 2012 with Local #49 International Union of Operating Engineers Highway Unit. Unanimous.

- 3A. USFS Walker District Ranger Carolyn Upton explained the Chippewa National Forest Resource Advisory Committee (RAC) request for proposal process. The USFS has invited proposals from the public regarding the investment of approximately \$800,000 of funds authorized by the Secure Rural Schools Act of 2008. Projects must benefit National Forest lands in Beltrami, Cass and Itasca Counties, and meet the criteria for activities that improve natural resources. Chief Financial Officer Larry Wolfe gave an overview of the history of the Federal Secure Rural Schools Act.

County Highway Engineer David Enblom described a potential project that would reconstruct County Road 161 near Pug Hold Lake (Thunder Lake Township) to reduce sediments from entering Pug Hold Lake. Mr. Enblom added that the cost estimate for this project is \$150,000.

Engineer Enblom described a potential project that would replace the CSAH 8/Boy River Bridge (Gould Township), and provide a pedestrian/trail addition to facilitate safe use for pedestrians. Other recreation activities such as fishing, nature watching, and multi-use trail activities would benefit. Mr. Enblom added that the estimated project cost is \$650,000.00 and that Cass County would seek 50% of the project cost from the RAC and the remainder would be paid for by Cass County utilizing State Aid construction funds and a possible contribution by the Leech Lake Band of Ojibwe.

M/S/P Downham, Gaalswyk – To approve the submission of RAC applications for the County Road 161/Pug Hole Lake erosion water quality project and the CSAH 8/Boy River Bridge replacement project including a pedestrian/trail feature. Unanimous.

- 4A. Resident Sandi Krueger read a statement dated March 1, 2011 regarding a gravel pit leased by Anderson Brothers Construction at the Krueger Gravel Pit located between North Ten Mile Lake, Portage Lake, and the Land O Lakes Girls Scout Camp. Ms. Krueger explained that residents endure noise, pollution, and traffic safety hazards due to gravel pit operations.

County Planner Paul Fairbanks reported that pursuant to an earlier Board referral (July 6, 2010) the Planning Commission is reviewing regulations related to the operating hours of gravel pits. Mr. Fairbanks added that the Planning Commission proposed amendments to the 2005-01 Land Use Ordinance (Section 1107 .1 Permitting of Existing Commercial Extractive Uses – C. Hours of Operation) are scheduled for 1st reading in April 2011.

Mr. Chuck Tschida, one of the owners of the Krueger Family Farms expressed interest in cooperating with Cass County. Ron Wickman VP of Aggregates from Anderson Brothers Construction also expressed interest in cooperating with Cass County and the neighborhood.

Sheriff Tom Burch reported he was aware of the traffic complaints and the Sheriff's Office would continue to respond.

ESD Director John Ringle invited all the interested parties to the Planning Commission work session related to this issue on Monday, March 7, 2011 beginning at 10:15 a.m. at the Backus Land Department Meeting Room, Backus, MN. Chairman Dowson thanked all those in attendance.

- 5A. ESD Director John Ringle, County Planner/Solid Waste Administrator Paul Fairbanks and Brita Sailer Household Hazardous Waste Program Contractor requested authorization to develop a demonstration project for the collection and disposal of waste pharmaceutical prescriptions. The program team would also include the Cass County Sheriff's Office and the Cass County Health, Human, & Veterans Services Department. Mr. Ringle added that the collection and transportation would be funded by a combination of departmental funds and solid waste assessment. Disposal would be at the Polk County incinerator in Fosston which has recently become licensed to incinerate discarded household prescription pharmaceuticals. Ms. Sailer added that similar programs are being developed by neighboring Counties. The first site being considered is the Law Enforcement Center at Walker.

M/S/P Downham, Gaalswyk – To authorize the development of the demonstration project for the collection and disposal of waste pharmaceutical prescriptions, and further to pursue potential partners for future implementation on a countywide basis. Unanimous.

- 6A. Auditor-Treasurer Sharon K. Anderson presented a draft proposal and contract terms for an agreement with Pillager School District No. 116 for election administration services for their upcoming bond referendum in May, 2011. Added that with the complexity of administering elections has increased with mandated use of voting system equipment and absentee ballot boards and contracting with counties for election expertise makes for a more efficient and accurately conducted process. Ms. Anderson asked for the Board's recommendation to enter into a contract with the Pillager School District No. 116 for election administration services not to exceed \$5,000.00, and that the Auditor-Treasurer's Office will track all costs and time for the final billing of actual.

M/S/P Gaalswyk, Kangas – To authorize the draft proposal and contract terms with the Independent School District #116 Pillager Public School for election administration services not to exceed \$5,000.00, effective on March 15, 2011 through June 30, 2011 contingent upon review by the Cass County Attorney's Office. Unanimous.

- 7A. HHVS Public Health Manager Jamie Richter presented an overview on the Statewide Health Improvement Program (SHIP) funded by the Minnesota Department of Health, which began December 15, 2009 and will continue through June 30, 2011. This Health Care Reform Initiative aims to help Minnesotans live longer healthier lives by reducing the burden of chronic disease. SHIP works in communities, worksites, schools, and health care sites using evidenced based interventions through sustainable policies, systems, and environmental changes to reduce obesity and tobacco use. Ms. Richter reported local activities to date include: five restaurants developing new menu labeling policies and implementing healthier choice menus, four Cass County Farmers Markets to access nutritious foods, three businesses in Cass County are working towards developing wellness policies and developing comprehensive worksite wellness initiatives, four schools in Cass County are working towards increasing physical activity for students during the school day and access to nutritious foods in schools, and three Cass County Healthcare providers are partnering to provide active referral to nutrition, physical activity and tobacco cessation resources in Cass County. No action necessary.
- 7B. Ms. Richter presented the Jail Health 2010 Annual Report. Ms. Richter remarked that the Jail Health budget is very difficult to predict. Jail health nursing time decreased to 5.6 hours per week with 265 inmate nursing visits in 2010. Costs over budget were medications purchased for inmates by \$7,300 which was off set by the lower nursing costs being provided. The 2010 Jail Health budget was \$99,855.00 with 2010 Jail Health expenditures reported at \$100,602.06. Ms. Richter added that Public Health continues to provide accounting and administrative service of accounts receivable and payable for the jail health budget. By consensus, the Board requested a break down of costs at the Walker Jail and the Crow Wing County Jail Detention Center.
8. Administrator Yochum discussed the upcoming meeting schedule.
9. Chairman Dowson adjourned the meeting at 10:35 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator