

TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
March 15, 2011

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, March 15, 2011, with the flag pledge, in the Land Department Meeting Room, Backus, MN. Commissioners present: Downham, Dowson, Gaalswyk, and Peterson. Commissioners absent: Kangas.

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 Burch	Cass County Sheriff	David Enblom	Highway Department
Kris Lyytinen	Highway Department	Reno Wells	HHVS Director
Candy Enblom	HHVS	John Ringle	ESD Director
Tim Richardson	Central Services Director	Jim Gerchy	Eelpout Festival
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Peterson, Downham – To approve the agenda items for discussion as presented and the addition of Item. 2A27 (Approve appointment of Bill Bernhjelm as Cass County's representative to the Central MN EMS Region Advisory Board, term ending December 31, 2013). Unanimous.

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

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

Approve - Board Minutes of March 1, 2011.

Approve - HHVS Auditor manual warrants dated February 28, 2011 in the amount of \$85.00.

Approve - Auditor manual warrants (Batch #1) dated February 2011 in the amount of \$1,389,823.30.

Approve - Auditor warrants dated March 3, 2011 in the amount of \$169,886.65.

Approve - HHVS Auditor warrants dated March 4, 2011 in the amount of \$40,917.98.

Approve - HHVS Commissioners warrants dated March 4, 2011 in the amount of \$58,583.18.

Approve - Auditor warrants dated March 10, 2011 in the amount of \$258,107.42.

Receive & file - Monthly Budget Reports.

Approve Personnel Actions - A. Budgeted positions scheduled for replacement - 1. Receive & file - Notice of a contract with Cynthia Troyna, Home Health Aide, Public Health Unit, 2009, \$12.80 per hour, effective February 25, 2011 – December 31, 2011. 2. Approve - HHVS Director to combine an open part-time position in Clerical, Grade 15 with a current part-time employee position in Income Maintenance Unit, Grade 20 with a review of such to occur in August of 2011. B. Positions scheduled for no replacement: None. C. Other - 1. Approve - Job title change of Public Health Manager to Director of Public Health Nursing to align with the job title approved by the State Merit System effective upon approval. 2. Approve - Temporary compensation for Mary Tennis, grade 33, step 5 during Jail Administrator's absence effective March 4, 2011. 3. Receive & file - Notice of appointment of James Schneider, Probation Director effective March 9, 2011. 4. Receive and file - Notice of probation completion for Marcia Freeman, Financial Assistant Specialist, Grade 22, step 9 on February 23, 2011.

Approve Licenses – Gambling - Roosevelt and Lawrence Area Lakes Association @ The Narrows - Mary Kowalski, Crooked Lake; Lakeshore Conservation Club @ Lakeshore Conservation Club - David Grell, Fairview. On & Off Sale 3.2 Beer - Cass Lake Lodge - 2 Balls, Inc, Pike Bay; Birch Ridge Resort - Birch Ridge Resort, Inc, Ottertail Peninsula. Set-Up - Birch Ridge Resort - Frank Alianello, Ottertail Peninsula. Lawful Assembly - Moondance Country Jam (June 22nd – 25th) - Kathy Bieloh, Turtle Lake; Moondance Jam (July 13th – 16th) - Kathy Bieloh, Turtle Lake.

Receive & file - Cass County EDC February 2011 Activity Report.

Receive & file - Timber auction results of February 24, 2011 totaling 4,065 cords in the amount of \$79,828.00.

Approve - Resolution No. 17-11 to support a Bi-CAP grant application - Family Homeless Prevention and Assistance Program in Cass County.

Commissioner Gaalswyk offered Resolution No. 17-11 and moved its adoption. Commissioner Peterson seconded:

Resolution Authorizing Application for Minnesota Housing and Finance Agency Family Homelessness Prevention and Assistance Program
WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention & Assistance Projects; and,
WHEREAS, Bi-County Community Action Programs, Inc. has developed an application for the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program; and
WHEREAS, Bi-County Community Action Programs, Inc. has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program;
NOW, THEREFORE, be it resolved that Bi-County Community Action Programs, Inc. is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program in the County of Cass, in Minnesota.

Resolution No. 17-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, and Peterson. Nays: None. Absent: Kangas.

Approve - Pay request No.3 - Invoice #23686 for Deep Portage Project to CAM in the amount of \$2,000.00.

Approve - Pay request No.1 for Deep Portage Project to St. Cloud Refrigeration-Category #4 in the amount of \$9,972.15.

Receive & file - HHVS Jail Health supplemental report on costs at the Walker Jail and the Crow Wing County Jail.

Approve - Probation Dept. submission for MN DOC - FY2012-FY2013 Caseload/Workload Reduction Grant in the amount of \$45,510.00.

M/S/P Gaalswyk, Peterson – To accept the quote to plant approximately 105,200 trees to B&B Services, Inc. in the amount of \$80.00/thousand trees (sole responder to County solicitation). Unanimous.

Commissioner Gaalswyk offered Resolution No. 18-11 and moved its adoption, Commissioner Peterson seconded:

Resolution No. 18-11 Final payment on SAP 11-608-13 resurfacing project on CSAH#8.

WHEREAS: Contract No. 60813 (SAP 11-608-13) 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. 18-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, and Peterson. Nays: None. Absent: Kangas.

Approve - Sheriff's Office grant submission for Central MN EMS Region- EMS emergency medical equipment in the amount of \$2,563.78.

Accept - Donation of \$10.00 from Marjorie Frank to go towards safety equipment for Sheriff's Office Recreation Division.

Receive & file - Auditor-Treasurer's Interest Income Report for February 2011.

Approve - Law Enforcement agreements with Moondance Jam, Inc. for Country Jam on June 22-25, and Moondance Jam on July 13-16, 2011.

Accept - Donation of \$18.00 from Dan Rath to Cass County Senior Transportation.

Approve - 2011 Amendment to the HHVS Home and Community-Based Services Contracts effective through December 31, 2011.

Receive & file - HHVS notification from MN Department of Human Services Financial Reporting Compliance for FY2010 and acknowledge staff efforts.

Approve - Appointment of Bill Bernhjelm as Cass County's representative to the Central MN EMS Region Advisory Board, term ending on December 31, 2013.

- 2B. Administrator Yochum presented a draft agreement – Amendment #4 to the Shingobee Bike Trail Joint Powers Agreement. Mr. Yochum reported that Shingobee Township had asked for an amendment to Exhibit "B" of the draft that would provide a use permit to Shingobee Township for the right to construct and maintain a trail over Cass County fee owned land at AhGwahChing in accordance with the Joint Powers Agreement that was dated March 18, 2008. Amendment #4 would amend regulated materials present on the site, the management of which if disturbed is the responsibility of the bike trail contractor (which will be spelled out in the bidding document).

M/S/P Dowson, Peterson – To approve the County of Cass and Shingobee Township Joint Powers Agreement Amendment #4 as presented after amending Exhibit "B" item #1 as requested by Shingobee Township to read: Notice is hereby given by Cass County that regulated materials are present on the site, the management of which if disturbed, is the responsibility of the bike trail contractor (notice of which will be spelled out in the bidding document). Unanimous.

- 3A. HHVS Director Reno Wells and Income Maintenance Supervisor Candy Enblom presented statistics showing the Cass County geographic distribution of Income Maintenance program clients (3,452 case files serving approximately 5,000 individuals). Mr. Wells and Ms. Enblom presented a draft agreement that would establish a demonstration project for the delivery of Income Maintenance Services in the Counties of Cass, Crow Wing and Todd. The concept is to offer income maintenance clients a choice of location to register or renew services thus improving client access without increasing cost to participating Counties. Cass County proposes client access in Crow Wing County at Brainerd and in Todd County at Staples.

M/S/P Downham, Gaalswyk – To approve the concept of a demonstration project for the delivery of Income Maintenance Services in the Counties of Cass, Crow Wing and Todd as presented. Unanimous.

- 4A. Highway Engineer David Enblom and Kris Lyytinen Assistant Highway Engineer discussed the Camp Ripley Veterans State Trail. Previous Board action of September 21, 2010 requested the Region Five Development Commission to proceed with a request for proposals to study the feasibility of a Camp Ripley Veterans State Trail (connecting the Soo Line and Paul Bunyan trails) including a destination trail link from the City of Pillager to the Paul Bunyan Trail via the City of Baxter. Mr. Enblom reported that five responses were received and reviewed by representatives from Cass, Crow Wing and Morrison Counties, Region 5, MNDOT and Camp Ripley and the review team recommends award of the Bolton & Menk proposal in the total amount of \$48,064.00 upon verification of all related funding sources.

M/S/P Gaalswyk, Downham – To recommend that Region 5 accept the Bolton & Menk feasibility study proposal upon confirmation of all funding commitments, to request Region 5 to award the Bolton & Menk feasibility study proposal for the alternate connection from Pillager to the Paul Bunyan trail via Baxter, to authorize reimbursement utilizing Fund 73 to Region 5 for 100% of the referenced alternate connection cost not to exceed \$4,292, and to contribute an additional \$5,000 to Region 5 from Fund 73 if the base study goes forward. Unanimous.

- 4B. Mr. Enblom reported on correspondence from the Leech Lake Band of Ojibwe Chairman Arthur "Archie" LaRose dated December 21, 2010 that the LLBO decided not to sign the Indian Employment MOU with Cass, Hubbard, Itasca, and Beltrami Counties that encourages Indian employment on County road construction projects. Mr. Enblom added that a meeting is scheduled with the Leech Lake Band of Ojibwe to discuss the Tribal Employment Rights Ordinance (TERO) on Monday, March 21, 2011. No action necessary at this time.

- 4C. Mr. Enblom inquired about interest in attending the Transportation Alliance Legislative Fly-In on June 14-16, 2011 in Washington D.C. Mr. Enblom added that the focus would be contact with new Congressmen and discussions regarding the Forest Highway program, Tribal Roads projects, and Federal Road project priorities such as TH371.

M/S/P Dowson, Downham – To authorize the attendance of Commissioner Neal Gaalswyk and Highway Engineer David Enblom to attend the Transportation Alliance Legislative Fly-In on June 14-16, 2011 in Washington D.C. Unanimous.

- 5A. Sheriff Tom Burch and Eelpout Festival promoter Jim Gerchy reported that the 2011 Eelpout Festival clean-up plan was a success. Sheriff Burch requested the Board to remove lake events permitted by the Sheriff's Office pursuant to MN Statute 86B.121 from the Lawful Assembly Ordinance No. 2004-3 as discussed with the Board at the Tuesday, February 15, 2011 meeting.

M/S/P Downham, Peterson – To provide public notice and establish hearing dates of intent to amend Lawful Assembly Ordinance No. 2004-3 that would exclude events permitted by the Sheriff pursuant to MN Statute 86B.121. Unanimous.

- 5B. Sheriff Tom Burch presented an annual report of Sheriffs Office calls for service which totaled 6,951 in 2010 compared to 16,252 in 2009. In addition to the County Board, this information is shared with all local units of government by jurisdiction and type of call. The Board thanked Sheriff Burch for the detailed report. No action necessary.
- 5C. Mr. Burch informed the Board that the Cass County Sheriff's Office was selected to receive a Mothers Against Drunk Driving (MADD) award for adult provider prevention efforts including the relationship with the Cass County Working Together Coalition and adoption of a Social Host Ordinance. Sheriff Burch accepted the award on behalf of the Sheriff's Office during their Statewide Recognition Awards Ceremony in Minneapolis on March 10, 2011. The Board congratulated Sheriff Burch and the Cass County Sheriff's Office.

- 6A. Chief Financial Officer Larry Wolfe, and Central Services Director Tim Richardson reported to the Board the process of consolidating the County general ledgers and preparing for the next generation Integrated Financial Systems (IFS). The new IFS system is platform independent and the current IBM iSeries 400 computer will not be capable of running the new program. Mr. Richardson requested Board authorization to purchase a replacement IBM iSeries 400 to implement the new system which will begin in October 2011. Cass County will continue to utilize IBM iSeries 400 system for financial, payroll and property tax processing for the foreseeable future.

M/S/P Gaalswyk, Peterson – To authorize purchase of a new IBM iSeries 400 through the State contract in an amount not to exceed \$25,000.00 utilizing General Fund fund balance. Unanimous.

- 6B. Mr. Wolfe presented a land disposal site closure document to be recorded with the County fee owned land title for the Ah-Gwah-Ching property. The related survey identifies the location on the site of approximately 10,000 cubic yards of wood building demolition and approximately 4,800 cubic yards of concrete building demolition from the AGC Reuse Project.

M/S/P Dowson, Peterson – To approve the document as presented and authorize the land disposal site closure record for the Ah-Gwah-Ching property to be recorded in the Cass County Recorder's Office. Unanimous.

- 7A. ESD Director John Ringle summarized the SWCD Liaison Meeting of March 2, 2011. Items discussed at the meeting included: follow up from the March 22, 2010 meeting – contract performing well; ESD staffing plan – discussed significant increase in shoreland management activities by SWCD and the ESD the need for additional grant management; Fees for service – the Committee's consensus was that the focus should be on training private contractors rather than performing fee for service by ESD or SWCD staff; Redistricting - the staff will report after April 1 release of census data.

Mr. Ringle presented an updated staffing plan for the department which requests establishment of a Technical Support Professional position who would assist in managing and implementing grant-based programs and discussed the potential need to hire a seasonal (6 month, May to October), full time Resource Specialist field person. Funds are available due to a vacant full-time Resource Specialist.

M/S/P Peterson, Gaalswyk – To approve the establishment of an ESD Technical Support Professional position and authorize a grade rating evaluation submission to Public Employment HR Consulting (PEHRC). Unanimous.

- 7B. Mr. Ringle informed the Board on his invitation to present the "Cass County Lakeshore Conservation Easements" program and easement projects as part of a Symposium on Effective Fish Habitat Conservation at the annual American Fisheries Society annual conference on September 4-8, 2011, in Seattle, WA. Mr. Ringle requested out-of state travel with all costs to be borne by the USFWS Fish Habitat Action Plan grant to be awarded to Cass County.

M/S/P Downham, Gaalswyk – To authorize the Cass County ESD Director to travel and participate in the annual American Fisheries Society Conference in Seattle, Washington September 4-8, 2011 subject to grant funds being available. Unanimous.

8. Administrator Yochum discussed the upcoming meeting schedule.
9. M/S/P Peterson, Gaalswyk – To adjourn the meeting at 10:35 a.m. Unanimous.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator