

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
May 3, 2011**

1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, May 3, 2011, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Downham, Dowson, and Peterson. Commissioners absent: Gaalswyk, 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 Deputy Auditor
David Enblom	Highway Engineer	John Ringle	ESD Director
Tom Burch	Sheriff	Reno Wells	HHVS Director
Candy Enblom	HHVS	Melanie Wolfe	HHVS
Tim Richardson	Central Services Director	Lori Koch	Highway Dept.
Josh Stevenson	Land Commissioner	Mark Peterson	County Assessor
Deb Allison	Bi-County CAP Director	Barb Moran	Bi-County CAP
Dale Yerger	Deep Portage Reserve	Sharon Anderson	Auditor-Treasurer
Terry McFarlin	Anderson Brothers	Bill Herheim	Lott Excavating
Jack Carder	Carders Earthmoving	Raymond Schrupp	Schrupp Excavating
Marty Humphrey	MN Landscaping	David Piprude	Piprude Excavating
John Piprude	Piprude Excavating	George Young	Young Excavating
Gail DeBoer	Pilot-Independent	Jerry Bourbonnais	MN DNR Forestry
Monica Lundquist	Brainerd Dispatch	Allan Olson	Cass Lake Times
Kris Lyytinen	Highway Dept.		

1B. M/S/P Peterson, Downham - To approve the agenda items for discussion as presented and add Items 9C. (County Board of Equalization training Monday May 23, 2011 in Shakopee, MN), and 10B. (Association of MN Counties District 2 Meeting on Wednesday, June 8, 2011, 8:00 a.m., PrimeWest, 3124 Hannah Ave., Bemidji, MN). Unanimous.

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

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

Approve - Board Minutes of April 19, 2011.

Approve - Auditor warrants dated April 21, 2011 in the amount of \$447,600.63.

Approve - HHVS Auditor warrants dated April 22, 2011 in the amount of \$149,902.21.

Approve - HHVS Commissioner warrants dated April 22, 2011 in the amount of \$263,996.24.

Approve - Auditor warrants dated April 28, 2011 in the amount of \$345,792.52.

Approve - Auditor warrants dated April 28, 2011 in the amount of \$1,135.00.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: Receive and file - Notice of retirement HHVS Financial Worker Jan Lyons, effective July 8, 2011 and authorize a Certificate of Appreciation for her years of service: July 1, 1996 to July 8, 2011. Receive and file - Notice of intent to fill the HHVS Financial Worker vacancy Grade 20, Step 1 on June 1, 2011 for training transition prior to Ms. Lyons retiring. B. Positions scheduled for no replacement - Receive & file Notice of retirement HHVS Case Aide Joanne Tidd effective June 10, 2011 and authorize a Certificate of Appreciation for her years of service: April 16, 1990 to June 10, 2011. Receive and file - Notice of intent to replace the case aide vacancy (grade 18) with a HHVS Office Support position (grade 15). C. Other: Receive & file - Order Adjusting Salary & Compensation for Probation Director/Officer James L. Schneider, grade 40, step 6, effective March 9, 2011. Receive & file - Order Adjusting Salary & Compensation for Probation Officer Jodi DeSkere, grade 28, step 6, effective January 1, 2011. Receive & file - Order Adjusting Salary & Compensation for Probation Officer Michelle Nistler, grade 28, step 2, effective January 1, 2011. Receive & file - Order Adjusting Salary & Compensation for Probation Officer Daniel Jones, grade 28, step 1, effective January 1, 2011. Receive and file - Notice of probation completion for Carol Mueller, Financial Worker, grade 20 step 1 effective April 27, 2011.

Approve Licenses - Gambling - Remer Volunteer Firemen's Relief @ Deer Haven Supper Club, Michael Doro, Thunder Lake; Outing Gun Club@ Village Inn Dining & Saloon, Patrick Bennington, Crooked Lake; Confidence Learning Center @ Jake's City Grill, Brian Kirkpatrick, Fairview. Temporary On Sale 3.2 Beer - July 9, 2011 - Crooked Lake Volunteer Fire Dept., Relief Association - Crooked Lake, Crooked Lake Twp. On Sale 3.2 Beer - Ski Gull- Ski Gull, Inc, Fairview. On & Off Sale 3.2 Beer - Cherney's Resort - Ignace Cherney, Unorganized.

Authorize - Financial contribution for FY2011 - Historical Society in the amount of \$2,500.00, remaining 50% paid after July 1, 2011.

Authorize - Financial contribution for FY2011 - Initiative Foundation amount of \$8,175.00, remaining 50% paid after July 1, 2011.

M/S/P Downham, Peterson - To award a grading contract for the Deerfield/Beuber Lake Trails to Schrupp Excavating in the amount of \$900, and to award a grading contract for the Bungo/Moose Lake trails to Sawyer Timber in the amount of \$1200, and to award a grading contract for the Bull Moose Trail to Schrupp Excavating in the amount of \$900, and to award a grading contract for the Old Grade to Schrupp Excavating in the amount of \$750 noting that there will be two gradings this season for each trail system except Bungo/Moose Lake trails, which will be graded once. Unanimous.

<u>Bidder</u>	<u>Bungo/Moose Lake</u>	<u>Deerfield/Beuber</u>	<u>Bull Moose</u>	<u>Old Grade</u>
Outdoor Creations	No bid	No bid	No bid	\$1225
Sawyer Timber Company	\$1200	\$1200	\$1000	\$1100
Schrupp Excavating	\$1250	\$900	\$900	\$750

M/S/P Downham, Peterson - To award 2011 hay stumpage permit bids: Tract #1 - May(N)-19-134-31 3ac to Steve Bartel in the amount of \$55.00; Tract #2 - Poplar-1-136-32 26ac to John Benson in the amount of \$200.00; Tract #3 - McKinley-29-138-32 3ac to Rodney Aker in the amount of \$30.00; Tract #4 - Smoky Hollow-10-140-25 8ac to Terry Mejdrich in the amount of \$25.00; Tract #5 - Boy River-23-143-27 21ac to Allan Wake in the amount of \$100.00; Tract #6 - Gould (E)-13-143-28 6ac to Allan Wake in the amount of \$26.00. Unanimous.

TRACT #	PERMIT AREA & ACRES	MINIMUM BID	BIDDER NAME	BID
1	19-134-31(3ac)	\$25.00	Steve Bartel	\$55.00
2	1-136-32(26ac)	\$78.00(\$3/ac)	John Benson	\$200.00
3	29-138-32 (3ac)	\$25.00	Rodney Aker	\$30.00
4	10-140-25 (8ac)	\$25.00	Terry Mejdrich	\$25.00
5	23-143-27 (21ac)	\$63.00(\$3/ac)	Allan Wake	\$100.00
6	13-143-28 (6ac)	\$25.00	Allan Wake	\$26.00

Receive & file - 2010 Cass County Sheriff's Office Sentence To Serve Year End Report.

Authorize - Purchase of supplies for STS crew construction of a storage building at the Cass County Highway Department not to exceed \$4,500.00.

Designate - Donation of \$450.00 from Hackensack American Legion Post #202, Hackensack MN gambling license proceeds to the Cass County Sheriff's Office Honor Guard.

Approve - Resolution No. 25-11 Federal Boating Safety Supplement Grant Agreement (#B55338) - \$13,875.00.

Commissioner Downham offered Resolution No. 25-11 and moved its adoption, and Commissioner Peterson seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2011 Federal Boating Safety Supplement Grant Agreement (#B553381) in the amount of \$13,875.00 with the State of Minnesota Department of Natural Resources, and authorizes signature of the Chairman, Administrator and Sheriff to execute the Agreement.

Resolution No. 25-11 was adopted by majority vote: Ayes: Downham, Dowson, Peterson. Absent: Gaalswyk, Kangas. Nays: None.

Approve - Establishment of an annual fee of \$50.00 for precious metal dealer license in Cass County.

Receive and file - Cass County HHVS Cash account balance comparison and Child Service Costs through March 2011.

Approve - Amendment to HHVS Home and Community-Based Services Contract effective through December 31, 2011, with Circle of Life Home Care Anishinaabe.

Approve - HHVS Group Residential Housing Agreements January 1, 2011 through December 31, 2012 - Riverside Assisted Living Pine River; Timothy and Tangi Kunnari; Janell Kraver/Bruce Fahlen; Dignity and Grace Assisted Living.

Approve - Amendment to HHVS Host County Contract - Little Sand Group Homes - offering additional program called CHOICES.

M/S/P Downham, Peterson - To award bids recommended by the Deep Portage Foundation as the best value design/build responses for the Deep Portage Building Project - US Dept. of Energy Project (#265.10) "Today's Leaders for a Sustainable Tomorrow" (received on Friday, March 25, 2011) as follows: Bid Item #1 Grid Tied Solar PV system to RREAL in the amount of \$88,163.00.; Bid Item #2 Hot water Storage to Sun Energy alternate bid 1 in the amount of \$36,000.; Bid Item #3 Electrical Improvements to Trosen Electric (FCU Motors) in the amount of \$85,000.; Bid Item #4 Envelope Improvements to Langer Custom Builders (includes insulation package) in the amount of \$67,000. Unanimous.

ITEM #1 PV Grid Tied Solar System

Budget - \$85,000.00

Bidder	Bid Amount
Knox Electric	\$80,500
Trosen Electric	\$90,000
RREAL	\$88,163
Sun Energy 1	\$75,600
Sun Energy alt. bid 2	\$90,000
Sun Energy alt. bid 3	\$72,800
Sun Energy alt. bid 4	\$85,000
Conservation Technologies	\$89,985

ITEM #2 Hot Water Storage

Budget - \$35,000.00

Bidder	Bid Amount
Sun Energy alt. bid 1	\$36,000
Sun Energy alt. bid 2	\$45,500
Sun Energy alt. bid 3	\$30,000
Sun Energy alt. bid 4	\$30,000
Sun Energy alt. bid 5	\$33,000

ITEM #3 Electrical Improvements

Budget - \$85,000.00

Bidder	Bid Amount	Options
Trosen	\$85,000	FCU Motors
Knox Electric	\$84,165	Smart Cool Technology
Holden Electric	\$94,630	21,370 Light pipes, timers and controls on A/C and P-TAC units

ITEM #4 Envelope Improvements

Budget - \$67,000.00

Bidder	Bid Amount	Extras	Options
Langer	\$67,000	Includes insulation package	\$6,700 windows in dining hall
Zetah	\$72,500		
Larson	\$76,376		
Peterson	\$68,000		

PREVIOUSLY AWARDED
13 Windows - 200 Rooms

Envelope Improvement

Spitzak	\$24,500
Peterson	\$18,000
BUDGET	\$18,000

Approve - Assessor's Office Abatements - Charles Vigilante – Barclay, Homestead 2010/2011; William Rickmeyer – Fairview, Homestead 2010/2011; Patrick Ready - Ponto Lake, Homestead 2010/2011; Alice Bleyhl – Powers, Homestead 2010/2011; Mouw Resort Properties, LLC – Wabedo, Class Change 2010/2011; Larry Liesener - Pike Bay, Value Reduction 2010/2011.

Receive & file - House File #1579 MAGIC Act.

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

- 2B. Administrator Yochum summarized the Cass County Citizen Budget Committee Meeting of Tuesday, April 19, 2011. Items discussed at the meeting were budget related updates including selected market trends, intergovernmental revenues, Cass County Budget variances, selected service trends, and the County Board referral of Fair funding requests. Mr. Yochum reported the Committee recommendation on Fair funding and an offer by the Committee to participate in the 2011 Annual Planning Retreat.

M/S/P Peterson, Downham – To approve the recommendation of the Cass County Citizen Budget Committee that the adopted 2011 contribution budget to the two Cass County Fairs be maintained at \$2,500.00 each payable after January 1, 2011 and \$2,500.00 each payable after July 1, 2011, and further that payments are authorized upon receipt of invoices. Unanimous.

M/S/P Downham, Peterson – To accept the Cass County Citizen Budget Committee's offer to participate in the 2011 Annual Planning Retreat and establish the same for Friday, June 24, 2011, beginning at 9:00 a.m., Cass County Land Department Meeting Room, Backus, MN. Unanimous.

- 2C. Administrator Yochum reported the South Country Health Alliance (SCHA) request for Cass County's certification of a capital equity payout to Cass County in the amount of \$1,072,043.00. Mr. Yochum and Chief Financial Officer Larry Wolfe identified two issues regarding the SCHA calculation of Cass and Crow Wing Counties' share of the SCHA capital surplus as of December 31, 2010. The first issue is the basis of accounting (GAAP vs. Statutory) identified in the joint Powers Agreement for withdrawing members, and secondly the use of a premium deficiency reserve for potential losses after December 31, 2010. Both matters lower the proposed Cass County and Crow Wing County capital surplus distribution. Administrator Yochum requested the Board to table the South Country Health Alliance equity calculation certification for further discussion among accounting staffs.

M/S/P Dowson, Downham – To table the South Country Health Alliance (SCHA) equity calculation certification. Unanimous.

- 3A. Reno Wells HHVS Director, Candy Enblom Financial Assistance Supervisor, and Director of Business Management Melanie Wolfe reported back on the Fraud Prevention Investigation Regional Plan that includes the Counties of Hubbard, Todd and Wadena and the grant application that had been tabled at the Tuesday, April 19, 2011 Board Meeting. Ms. Enblom informed the Board that the program is focused on prevention before an ineligible applicant receives benefits from a public assistance program, or if benefits to ineligible recipients can be terminated quickly, fewer tax dollars are misspent. State funding reimburses costs up to the non-federal share of the county's grant which is meant to cover staff cost, computer hardware/software, office supplies, office space, and support services. The Cass County district experienced a cost benefit ratio of \$3.01 (for every dollar spent on the program it is estimated that \$3.01 in tax dollars were saved). The current plan, grant agreement, and cooperative agreements with Todd, Wadena, and Hubbard counties expire 6/30/11. Ms. Wolfe informed the Board that in 2010, HHVS recovered \$88,301 in State and Federal funding for the administration of the FPI program

M/S/P Peterson, Downham – To approve the Fraud Prevention Investigation Regional Plan, the Grant Application for Cass County in the amount of \$80,000.00 in each of the State fiscal years 2012 and 2013, and maintain cooperative agreements with Todd, Wadena, and Hubbard counties for that same period. Unanimous.

- 4A. Deb Allison Bi-County CAP Executive Director updated the Board on the variety of Community Action Programs offered in Beltrami and Cass County: Early Childhood, Energy, Youth, Supportive Housing, Housing, & other programs that support low income residents. Bi-County CAP Supportive Housing Director Barb Moran described the continuum of housing programs/services for clients. Programs include assistance to those having difficulties with rent, utilities and homelessness. Services include transitional housing inclusive of case management, and direct services. Mortgage foreclosure counseling, budget counseling and loans to those who qualify are used to stabilize households and prevent homelessness. The Board thanked the presenters and no action necessary.

- 5A. Central Services Director Tim Richardson presented a progress report on the HVAC controls upgrade grant project. Improvements by Honeywell are near the 100% completion point with system commissioning to be completed by late May. Mr. Richardson added that there are specific requirements for closing out the grant, including actual testing of the systems, and documenting their performance. Director Richardson presented pay request No. 4 (Invoice #3531266R) for Cass County Energy Upgrade Project to Honeywell in the amount of \$22,392.55.

M/S/P Peterson, Downham – To approve pay request No. 4 (Invoice #3531266R) for Cass County Energy Upgrade Project to Honeywell in the amount of \$22,392.55. Unanimous.

- 5B. Mr. Richardson presented a progress report on the Business Continuity Plan which began in December 2010 with an organizational meeting attended by representatives from almost all Departments. Individual plans by Department are underway prior to adoption of a County-wide plan. Mr. Richardson also informed the Board that a group named the Rural Domestic Preparedness Consortium will hold a one day training course at no cost on Monday, June 6th, 2011 in the Board Room, Crtse., Walker, MN. The course will teach executive level managers and small business owners how to develop a comprehensive and effective business continuity program from start to finish.

6. Robert Yochum read the public hearing notice for Tuesday, May 3, 2011, beginning at 10:00 a.m., Commissioners Boardroom, 1st Floor, Cass County Courthouse Annex, Walker, MN to consider adopting on 1st reading Ordinance 2011-01, which proposes to amend Lawful Assembly Ordinance 2004-03 to exclude mass gathering events (300 or more persons and more than eight consecutive hours) on lakes permitted by the Sheriff pursuant to Minnesota Statute 86B.121. and the public hearing notice for Tuesday, June 7, 2011, beginning at 10:00 a.m. Commissioners Boardroom, 1st Floor, Cass County Courthouse Annex, Walker, MN to consider 2nd reading and final adoption of Ordinance 2011-01. Mr. Yochum informed the Board that no related written comments from the public were received. No one in the room requested to be heard.

M/S/P Peterson, Downham - To approve on 1st reading Ordinance 2011-01, which amends Lawful Assembly Ordinance 2004-03 to exclude mass gathering events (300 or more persons and more than eight consecutive hours) on lakes permitted by the Sheriff pursuant to Minnesota Statute 86B.121 and to consider 2nd reading and final adoption of Lawful Assembly Ordinance 2011-01 at the scheduled public hearing of Tuesday, June 7, 2011, beginning at 10:00 a.m. Commissioners Boardroom, 1st Floor, Cass County Courthouse Annex, Walker, MN. Unanimous.

- 7A. Land Commissioner Josh Stevenson informed the Board on an opportunity to partner with the MNDNR in a public hearing process regarding the recording of prescriptive easements benefiting public land in Cass County. MN DNR Forestry representative Jerry Bourbonnais explained that typical prescriptive easement would be a forest access road crossing private property that has been used by the public for long periods of time without objection by the private property owner. In most cases the roads have been built and maintained using public funds. The purpose of the public hearing is to obtain any related public input and provide those affected to ask any questions. Mr. Stevenson reported that upon Board approval of the hearing the related Townships or Cities would be notified along with background information.

M/S/P Downham, Peterson – To approve conducting a public hearing on Wednesday, June 28, 2011, beginning at 6:00 p.m. at the Land Department Meeting, Room, Backus, MN. in cooperation with MNDNR regarding the recording of prescriptive use easements, and providing notice of the same to affected Townships or Cities. Unanimous.

- 7B. Land Commissioner Josh Stevenson presented Resolution No. 26-11 establishing Saturday, June 18, 2011, beginning at 9:00 a.m., Commissioners Board Room, 1st Floor, Courthouse, Walker, MN for the sale of certain tax-forfeited parcels.

Commissioner Dowson offered Resolution No. 26-11 and moved its adoption, and Commissioner Peterson seconded:

WHEREAS, the following parcels of land are Tax Forfeited or County Fee Owned and the Cass County Board has classified said parcels as non-conservation:

Parcel #1

PIN # 41-532-0216
Lots 8 and 9, Block 2, Castle Addition to Bigwater
Appraised Value - \$10,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #2

PIN # 41-532-0212
Lots 6, Block 2, Castle Addition to Bigwater
Appraised Value - \$3,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #3

PIN # 94-337-1140
Lots 7 and 8, Block 11, Original Plat of Pine River.
Appraised Value - \$28,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #4

PIN # 23-013-2202
East 28 Rods of the West 55 Rods of the North 34½ Rods of the Northwest Quarter of the Northwest Quarter (NW¼NW¼), Section 13, Township 136 North, Range 30 West, Cass County, Minnesota (6 acres) – Maple Township Parcel is located on Cass County Hwy #17
Appraised Value - \$35,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-032 and Fund 73 Environmental Trust

Parcel #5

PIN # 31-009-4400
Southeast Quarter of the Southeast Quarter (SE¼SE¼), Section 9, Township 138 North, Range 30 West, Cass County, Minnesota (40 acres) – Pine River Township
This parcel has walk in access only across public land. The purchaser may petition the Township for public road access to this parcel under Minnesota Statutes 164.08, subd 2.
Appraised Value - \$60,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-032 and Fund 71-032 designated to LCCR.

Parcel #6

PIN # 18-030-4303
Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼), Section 30, Township 141 North, Range 27 West, Cass County, Minnesota.
Inguadona Township 11.73 acres more or less No legal access. Buyer may petition township for access under Minnesota Statutes 164.08 subd 2.
Appraised Value - \$12,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #7

PIN # 12-022-4400
Southeast Quarter of the Southeast Quarter (SE¼SE¼), Section 22, Township 139 North, Range 26 West, Cass County, Minnesota (40 acres) – Crooked Lake Township
Parcel is located on Minnesota State Hwy #6
Appraised Value - \$80,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-032

Parcel #8

PIN # 06-009-1300
Southwest Quarter of the Northeast Quarter (SW¼NE¼), Section 9, Township 139 North, Range 28 West, Cass County, Minnesota (40 acres) – Blind Lake Township
No legal access. The purchaser may petition the Township for public access to this parcel under Minnesota Statutes 164.08, subd 2
Appraised Value - \$60,000.00
Proceeds from the sale of this parcel will be credited to Fund 71-032 and Fund 73 Environmental Trust.

Parcel #9

PIN # 34-017-3200
West half of the Southwest Quarter (W½SW¼), Section 17, Township 139 North, Range 30 West, Cass County, Minnesota (80 acres) – Powers Township.

This parcel includes the complete shoreline of a small environmental lake. There is no legal access to this parcel. The purchaser may petition the Township for public access to this parcel under Minnesota Statutes 164.08, subd 2.

Appraised Value - \$65,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-032.

Parcel #10

Pin # 95-340-0142

Lots 25 & 26, Block 1, Flynn's Addition to Remer

Appraised Value - \$5,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #11

PIN # 35-002-4205

A portion of the Northwest Quarter of the Southeast Quarter (NW¼ SE¼), Section Two (2), Township One Hundred forty-one (141) North, Range Twenty-six (26) West, Cass County, Minnesota Consisting of one acre more or less; Commencing at the intersection of the west line of the northwest one quarter (NW¼) of the Southeast one quarter (SE¼), Section two (2), Township One Hundred Forty-one (141) North, Range Twenty-six (26) West, Cass County, Minnesota and the right-of-way of highway #200, thence easterly along said right-of-way one thousand forty-five (1045) feet, thence southerly two hundred eight (208) feet, to the northeast corner and beginning of said one acre lot, thence continuing southerly two hundred eight (208) feet, thence westerly two hundred nine (209) feet, thence northerly two hundred eight (208), thence easterly two hundred nine (209) feet, to the point of beginning of said one acre lot, along with an easement over the roadway for ingress and egress from highway #200, subject to restrictions and reservation of record, if any. This parcel contains 1± acre Remer Township and is located on a gravel road.

Appraised Value - \$6,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #12

PIN # 85-338-3030

Lots 7 thru 12, Block 30, Original Plat of Cass Lake second Division

Appraised Value - \$5,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #13

PIN # 51-378-0010

Lots 1, 2 and Lots 229 thru 244, Interlachen Lodge, together with Lots 1 thru 14 and Lots 29 thru 43, Block 10, Interlachen Lodge Incorporated, according to the record plats thereof on file in the office of the County Recorder, Cass County, Minnesota, And; That part of vacated GORDAN AVENUE, said Interlachen Lodge, according to Document Number A000548316 in the office of the County Recorder, Cass County, Minnesota, which lies south of Lots 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, and 244, said plat, and north of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 10, of said Interlachen Lodge Incorporated, And; That part of vacated WESLEY STREET, said Interlachen Lodge, according to Document Number A000548316 in the office of the County Recorder, Cass County, Minnesota, which lies east of Lot 229 and west of Lot 1 of said plat. Subject to existing public roads and to reservations, restrictions, and easements of record- Woodrow Township

This parcel is located on a township road with frontage on the river that runs between Kid and Baby Lakes. The buyer will be required to sign a Perpetual Wetland Conservation Easement for this parcel.

Appraised Value - \$95,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-032 and Fund 71-032 designated to LCCR

Parcel #14

PIN # 83-337-3130

Lots 5 thru 9, Block 31, Plat of the Village of Bena & wly ½ of adj vac alley.

Appraised Value - \$1,500.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #15

PIN # 83-034-1303

That Part of the South half of the Northeast Quarter (S½ of NE¼), Section 34, Township 145 North, Range 28 West, Cass County, Minnesota described as follows, Beg. At the intersection of the line between the N. & S. halves of the NE¼ of said Section 34 Township 145 North, Range 28 West, Cass County, Minnesota and the western line of first Ave. west, in the Village of Bena; thence southward along said western line of First Ave. West 115'; thence westward parallel with the line between the N. & S. halves of the NE¼ 466.69'; thence northward and parallel with the western line of First Ave. West 115' to the said line between said N. & S. halves of the NE¼, thence eastward along said line 466.69' to the pt. of Beg.

Appraised Value - \$2,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #16

PIN # 85-016-4101

E165 FT OF N264 FT OF Northeast Quarter of the Southeast Quarter (NE¼SE¼), Section 16, Township 145 North, Range 31 West, Cass County, Minnesota

City of Cass Lake

Appraised Value - \$ 5,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #17

PIN # 85-341-0950

Lots 27 & 28 Block 9 Townsite of Cass Lake

Appraised Value - \$2,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #18

PIN # 83-337-2410

Lots 1 Thru 6 Block 24 Plat of the Village of Bena

Appraised Value - \$1,700.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #19

PIN # 83-337-0650

Lots 13 Thru 19 Block 6 Plat of the Village of Bena

Appraised Value - \$2,000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #20

PIN # 83-337-1440

Lots 9 Thru 12, Block 14 Plat of the Village of Bena

Appraised Value - \$1,500.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #21

PIN # 26-344-0865

Lots 13 & 14, Block 8, Wilderness Park Estates Fourth Addition

Meadow Brook Township

Appraised Value - \$7000.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

Parcel #22

PIN # 94-337-1245

Lot 15, Block 12, original Plat of Pine River, less the Southwesterly 4.80 feet thereof and also less the Northeasterly 3½ feet thereof (it being the intent of this description for the southwesterly 4.80 feet of said Lot 15 being that part thereof laying Southwesterly of a line that is parallel with and 4.80 feet Northeasterly of as measured at right angles from the Southwesterly line of said Lot 15).

Appraised Value - \$12,500.00

Proceeds from the sale of this parcel will be credited to Fund 71-650 for distribution per state statute.

THEREFORE, Be it resolved, the Cass County Board of Commissioners hereby certifies that all the above parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 subd. 8, 282.018 and the 1991 Laws of Minnesota Ch. 354, Art. 10, Sec. 9, amending M.S. Sec. 282.018, subd. 2 (1990). The County Board of Commissioners hereby certifies that the County Land Commissioner has reviewed the attached land sale list and identified any and all nonforested marginal land and wetland.

BE IT ALSO RESOLVED, that the parcels of land forfeited to the State of Minnesota for non payment of taxes, appearing on the list filed with the County Auditor-Treasurer, have been classified and appraised; that the appraised value of each parcel be approved and authorization for a public sale of the land be granted, pursuant to M.S. 282.01; that the sale will be held on June 18, 2011 beginning at 9:00 a.m., by the Cass County Auditor-Treasurer in the Public Meeting Room of the Courthouse, Walker, MN for not less than the appraised value.

BE IT FURTHER RESOLVED that the following additional terms shall apply to this sale:

1. No lot shall be sold for less than the total of the appraised value of the land, plus the appraised value of the timber, plus the appraised value of the improvements, plus any outstanding special assessments, plus all applicable fees.
2. Any and all bids can be rejected. Any lot may be withdrawn from sale by Cass County up to and including the day of the sale.
3. All land sales shall be for cash at time and date of the auction.
4. A 10% non-refundable deposit or letter of credit with balance to be paid within 30 days of the sale is accepted for parcels that sell for more than \$30,000. (Per sale policy adopted 20 October 1998).
5. The land and any improvements are sold as is. The County makes no warranties as to the condition or habitability of any buildings, wells, septic systems, soils, roads or any other thing on the site. Some properties may have inadequate systems or no septic systems at all. Within one year of transfer all parcels must meet applicable County Ordinances.
6. The Cass County Auditor-Treasurer hereby certifies that Cass County has and will comply with all laws governing the sale of tax forfeited land of the State of Minnesota in the conduct of the foregoing approved public land sale. All properties have been reviewed by the Land Commissioner under the requirements of 1991 Laws of Minnesota Ch.354, Art.10, Sec.9.
7. Buyers will receive a State Deed for tax forfeited lots and a Quit Claim deed for County Fee Owned lots. Cass County makes no warranties as to the condition of the title.
8. Lots in Castle Addition to Bigwater are subject to the following Deed Restrictions:
 - Deeds will contain Deed Restrictions prohibiting the placement of manufactured homes with a chassis or undercarriage on these parcels.
 - Deeds will contain Deed Restrictions prohibiting the splitting of any lots from the original parcel they were sold with. Lots will be combined into one tax parcel and shall not be subdivided in the future.
9. Lots in Wilderness Park are subject to the following Deed Restrictions:
 - Deeds will contain Deed Restrictions prohibiting the placement of manufactured homes with a chassis or undercarriage on these parcels.
 - Deeds will contain Deed Restrictions prohibiting the splitting of any lots from the original parcel they were sold with. Lots will be combined into one tax parcel and shall not be subdivided in the future.

-Deeds will contain Deed Restrictions that include the following language: Subject to the covenants, restrictions and conditions recorded as document Nos.226108 and 226109 in the office of the County Recorder.

Resolution No. 26-11 was adopted by majority vote: Ayes: Downham, Dowson, Peterson. Absent: Gaalswyk, Kangas. Nays: None.

- 8A. Highway Engineer Dave Enblom, Highway Department Fiscal Officer Lori Koch, and Assistant Highway Engineer Kris Lyytinen presented the 2010 Cass County Highway Financial Statement. The Board complimented the Highway Department on the detailed report that was presented.

M/S/P Downham, Peterson – To receive and file the 2010 Cass County Highway Financial Statement as presented and post the same on the Cass County website. Unanimous.

- 8B. Mr. Enblom reported back on private contracting for routine maintenance as requested at the April 5, 2011 County Board meeting. Mr. Enblom provided information compiled from Becker and Mahnomon Counties who currently use private contractors to perform routine maintenance services on their County gravel roads. The routine maintenance on these County's paved roads are performed by County staff and equipment, mainly trucks. The costs reported for motor grader blading and smoothing the gravel surface on a cost per mile basis (without overhead allocation or snow plowing) were: Becker County - \$722, Mahnomon County - \$762, Cass County - \$734. In addition the report stated that each motor grader is assigned about 50 miles of gravel roads (approximately 1000 hours per year) and detailed the additional duties assigned to the operator beyond gravel road maintenance. Each of the six maintenance teams consist of 3-4 persons assigned the responsibility for about 80 miles of paved roads and 50 miles of gravel roads in their district.

Local contractors in the audience discussed the cost calculations and commented that private contracting could perhaps be an option for portions of the County road system.

Engineer Enblom agreed to host a meeting with the contractors in attendance to discuss private contracting alternatives and report back at the Cass County Annual Planning Retreat scheduled for Friday, June 24, 2011.

- 8C. Assistant Highway Engineer Kris Lyytinen presented bid results for award consideration on County Project No. C.M. 2011-1 (CSAH 42, CSAH 46, CSAH 55, C.R. 119, C.R. 120 & C.R. 129). Bids were opened at 2:00 PM on April 26, 2011.

M/S/P Peterson, Downham – To award the bid to the apparent low bidder for County Project No. C.M. 2011-1 (CSAH 42, CSAH 46, CSAH 55, C.R. 119, C.R. 120, & C.R. 129) to Tri-City Paving, Inc. in the bid amount of \$185,800.00. Unanimous.

Project No.: Aggregate Surfacing CSAH 42,
46, 55 CR 119, 120, & 129

<u>Bidder</u>	<u>Bid Amount</u>
Tri-City Paving, Inc.	\$185,800.00
Vogt Dirt Service	\$194,170.00
Anderson Contracting, Inc.	\$198,699.50
Wm. D. Scepaniak, Inc.	\$246,391.00

- 9A. County Assessor Mark Peterson presented the 1st Quarter 2011 Foreclosure Report (28 in 2011, 45 in 2010, 16 in 2009, and 35 in 2008) including cancellation of contracts for deeds (not including time share foreclosures). Mr. Peterson also commented on the number of arms-length transactions (an "arms-length sale" is between two parties, both of whom are seeking to maximize their gain from the transfer) - 1st Quarter 2011 were 84 sales. No action necessary.
- 9B. Assessor Peterson discussed the need to update the property tax abatement policy last amended in 1993. Chairman Dowson requested the Assessor, Auditor-Treasurer, County Administrator, and Chief Financial Officer to recommend updates and report back to the full board. No action necessary.
- 9C. Mr. Peterson informed the Board of MN Department of Revenue County Board of Equalization training on Monday May 23, 2011 in Shakopee, MN. Assessor Peterson explained by MN State Statute at least one member of the County Board of Equalization (five County Board members and the Auditor-Treasurer) must have related training. Although the Auditor-Treasurer is presently certified, Mr. Peterson recommended a member of the Board also receive the training.

M/S/P Peterson, Downham – To authorize Commissioner Neal Gaalswyk to attend the County Board of Board of Equalization training held on Monday May 23, 2011 in Shakopee, MN. Unanimous.

10. Administrator Yochum discussed the upcoming meeting schedule: a. County Board Meeting in Commissioner District #5, Tuesday, May 17, 2011, 6:00 p.m. at Torrey Township (Remer Depot-104 Main St. West, Remer, MN). b. Association of MN Counties District 2 Meeting on Wednesday, June 8, 2011, 8:00 a.m., PrimeWest, 3124 Hannah Ave., Bemidji, MN).

11. Chairman Dowson adjourned the meeting at 11:15 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator