

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
July 5, 2011**

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, July 5, 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 Burch	Cass County Sheriff	Katie Norby	County Recorder
Josh Stevenson	Land Commissioner	Sharon Anderson	Auditor-Treasurer
Jim Schneider	Probation Director	Tim Richardson	Central Services Director
Don Hoppe	MIS	Bryan Harris	Probation Dept.
Kelly Felton	Working Together Coalition	Bev Gaines	Working Together Coalition
Jeff Holubar	MCIT	Jack Halverson	Over the Hills ATV Club
Larry Zdenek	Over the Hills ATV Club	Barb Zdenek	Over the Hills ATV Club
Perry May	Over the Hills ATV Club	Jim Hillger	Over the Hills ATV Club
Jack Thomas	Self	Betty Thomas	Self
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

- 1B. M/S/P Peterson, Kangas – To approve the agenda items for discussion as presented after moving Item 10A.12 (Receive & file the Summary of Ordinance Revisions - Land Use Ordinance) to Item 10C., and moving Item 10A.17 (Receive & file correspondence regarding Cass County employees - ESD Resource Specialist – Retta Freeman; Technical Specialist – Kelly Condiff; MN Core Worker Intern - Colette Wright) to Item 10D. Unanimous.
- 2A. Jack and Betty Thomas of Hackensack requested to be heard regarding the plans for a PAWS and CLAWS Animal Shelter - a non-profit organization that has been formed to build a state of the facility to serve Cass County and adjacent areas (Cass County is one of the few counties in Minnesota without an animal shelter). Mr. Thomas explained that after a successful fund raising campaign the construction of phase 1 will begin on land that has been donated by Jack & Betty south of Hackensack on Highway #371 for the Paws and Claws facility including an animal shelter, a pet cemetery, animal boarding, and veterinarian services. Phase 2 will provide a training facility for helper dogs to assist the elderly and disabled veterans. Mrs. Thomas explained that an endowment by she and Jack through the Central MN Initiative Foundation will also provide additional support for sustaining operations. The Board thanked the Thomas's for the presentation and invited future updates. No action necessary.
- 3A. Sheriff Tom Burch requested Board authorization to increase the civil process flat rate fee from \$50.00 to \$75.00.

M/S/P Dowson/Downham – To approve the following Sheriff's Office civil process fee schedule effective July 1, 2011. Unanimous.

Sheriff's Office Civil Process Fees

Service fee (includes fees and mileage)	\$75.00 per person
Service fee – not found	\$75.00
Legal - not found (Quiet Title Action)	\$75.00
Real Estate Sales	\$75.00
Posting	\$75.00
Redemption Fee	\$250.00
*Non-refundable redemption fee (pre-pay)	\$75.00
After Redemption Fee	\$ 20.00
Notice of Intent to Redeem	\$100.00

Execution Fees

Execution Deposit Fee	\$100.00
Levy fee	\$ 20.00
Deputy time	\$ 40.00/hr
Execution commission	5%

- 4A. Kelly Felton and Bev Gaines from the Working Together Coalition for Safe and Healthy Communities updated the Board on Project Sticker Shock. The Working Together Coalition is a group of youth and adults working together to address substance abuse issues in the school districts of Pine River-Backus, Northland Community and Walker-Hackensack-Akeley. The group will be participating with off sale establishments that are interested in partnering on the Project Sticker Shock that aims to reach those individuals over age 21 who legally purchase alcohol and provide it to a minor. The campaign consists of youth-designed stickers being adhered to multi-packs of alcoholic beverages (beer, wine coolers, etc) in participating retail stores. A team of youth, accompanied by an adult chaperone, will visit each store at a time of mutual convenience during the scheduled campaign dates, to place the stickers on and hang up the 8 x 11" poster(s). By consensus, the Board endorsed the idea of including the program information with Auditor-Treasurer's Office Off-Sale Liquor License renewals. The Board thanked Ms. Felton and Ms. Gaines for the update.

Ms. Felton also informed the Board that the Working Together Coalition is also promoting the Cass County "Take It To the Box" program which is a collaborative effort between the Cass County Sheriff's Office, Environmental Services and HHVS to properly dispose of unused prescription drugs. No action necessary.

5. County Administrator Yochum acknowledged the Public Hearing Notice regarding updates to the Cass County Capital Improvement Plan. Auditor-Treasurer Sharon Anderson summarized the 2011 Capital Improvement Plan changes. Mr. Yochum commented that long term Courthouse Campus replacement is not proposed within the next five years. Chief Financial Officer Larry Wolfe discussed fund balances trends. No one requested to be heard on this subject and no written comments were received.

M/S/P Gaalswyk, Downham – To approve the 2011 updates to the Capital Improvement Plan as presented, and post the amended plan on the Cass County Website. Unanimous.

- 6A. Jeff Holubar from the Minnesota Counties Intergovernmental Trust (MCIT) reviewed the annual 2010 MCIT members report. Mr. Holubar informed the Board of the services that MCIT provides to Cass County including defensive driver training (on-Line and on-Site), an Employee Assistance Program (EAP), Police Accredited Training On-Line (PATROL), boiler Inspections, MN Safety Council membership, website (www.mcit.org) resource materials and on-site risk management consulting. The Board thanked Mr. Holubar for the update. No action necessary.

- 7A. County Recorder Katie Norby presented an update on the scanning project under contract with MidAmerica Business Solutions for scanning, and indexing approximately 100 years of tax and assessment records. Ms. Norby reported that the Board action of January 18, 2011 established a project budget of \$100,000.00 (from general fund balance) based upon an estimated number of pages. Now that scanning is well underway, Recorder Norby stated that the page count is now estimated at 76,500 images and that the project budget should be adjusted to add an additional \$20,000. In addition, Ms. Norby requested permission to provide CDs or DVDs to local townships/cities upon request rather than actual books, to offer books to the County Historical society, to recycle all remaining books. Images will be available free to the public via the County website on or before January 1, 2012.

M/S/P Kangas, Downham – To amend the scanning project budget under contract with MidAmerica Business Solutions to \$120,000, to provide CDs or DVDs to local townships/cities upon request rather than actual books, to offer books to the County Historical society, and to recycle all remaining books. Unanimous.

- 8A. Chief Financial Officer Larry Wolfe presented the budget amendments for FY2010. By consensus, the Board requested footnotes on related fund balance in future reports.

M/S/P Peterson, Gaalswyk – To approve the FY2010 Budget Amendments as presented. Unanimous.

2010 BUDGET AMENDMENTS

		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>CHANGE</u>
Commissioners				
01-001.6379	Miscellaneous Charges	2,000	42,000	40,000
01-001.6605	Capital Outlay - Building	0	52,000	52,000
01-001.6820	Federal Title III Projects	0	2,500	2,500
	Total Change			94,500

Amend budget for IRS Audit cost, uninsured losses
 Establish budget for MCIS Building Project
 Establish budget for Federal Projects, Deep Portage trips for schools
 Source: General Fund Reserved, Designated and Undesignated Fund Balance

Recorder				
01-100.6102	Salaries/Wages	186,290	220,000	33,710
01-100.6379	Miscellaneous Charges	0	5,000	5,000
01-100.6609	Compliance Fund Expenditures	100,000	120,000	20,000
	Total Change			58,710

To amend budget for wages and supplies for scanning project
 To amend budget for approved Land Record Compliance Fund expenditures
 Source: Reserved Fund Balance from Recorder Fees, Undesignated Fund Balance

Building & Grounds				
01-112.6603	Capital Outlay	0	50,000	50,000

To establish budget for Energy Efficiency Project
 Source: Reserved Fund Balance

Sheriff				
01-200-210.6299	PSAP Consolidation Study	0	88,000	88,000

To establish budget for PSAP Consolidation Study
 Source: State Grant

Emergency Services				
01-280.6299	Prof Services - ARMER 800 mhz Project	0	490,000	490,000

To establish budget for expenditures related to the ARMER 800 mhz Project
 Source: Grants and Reserved Fund Balance

ENVIRONMENTAL SERVICES

Planning & Zoning				
01-801.6102	Salaries/Wages	160,489	185,489	25,000
To amend budget for severance pay				
Source: Fund Balance				
SPECIAL PROJECTS				
01-801-594.6299	Professional Service	50,000	250,000	200,000
To amend budget for Lake Association projects				
Source: Grants, Fees and Designated Fund Balance				
Total General Fund Changes				1,006,210
Road & Bridge				
Department 312 - Shops				
03-312.6606	Capital Outlay - Equipment	250,000	376,000	126,000
To amend budget for approved equipment purchases				
Source: Fund Balance				
Department 313 - Maintenance				
03-313.6512	Culverts	30,000	41,000	11,000
03-313.6514	Aggregate	170,000	180,000	10,000
03-313.6520	Sand & Salt	110,000	191,000	81,000
Total Change				102,000
To amend budget for additional materials needed				
Source: Fund Balance				
Department 313 - Construction				
03-313.6604	Capital Outlay Construction	5,100,000	8,000,000	2,900,000
03-313.6620	County Road Construction	850,000	1,100,000	250,000
Total Change				3,150,000
To amend budget for additional construction projects				
Source: Fund Balance, Cost Sharing, Grants and Awards.				
Total Road & Bridge Fund Changes				3,378,000
Health, Human & Veteran Services Fund				
Veterans Services				
05-120.0020-6332	Volunteer Driver Mileage Reimbursement	0	14,000	14,000
To establish budget for Volunteer Driver Mileage Reimbursement Grant				
Source: Veterans Services Enhancement Grant - State				
Total HHVS Fund Changes				14,000
LAND EXCHANGE TRUST				
73-001.6807	Environmental Trust - Trails	0	33,000	33,000
To amend budget for Shingobee trail improvement projects				
Source: Fund Balance				
Total Environmental Trust Fund Changes				33,000
Grand Total All Funds				4,431,210

8B. Mr. Wolfe also requested approval of the FY 2010 fund balance designations.

M/S/P Peterson, Kangas – To approve the Cass County fund balance reserves and designations for FY December 31, 2010 as presented. Unanimous.

General Fund

	Balance 12/31/2009	Additions	Deletions	Balance 12/31/2010	Net Change
Reserved					
Prepaid items	1,730,240	0	216,280	1,513,960	(216,280)
Recorders technology	315,282	105,603	34,311	386,574	71,292
Recorders compliance	57,316	116,292	119,295	54,313	(3,003)
Missing heirs (2754 Mullenix)			0	32,014	324
	31,690	324			
Law Library	47,945	28,386	26,869	49,462	1,517
Enhanced 911 system	207,641	110,141	88,175	229,607	21,966
Federal projects	341,860	0		339,605	(2,255)
			2,255		
Wetland activity	134,415	87,235	84,135	137,515	3,100
Attorney forfeiture	1,975	4,469	1,600	4,844	2,869
Total Reserved Fund Balance	2,868,364			2,747,894	

Unreserved - Designated

Designated for cash flows	6,741,678	145,296	0	6,886,974	145,296
Designated for compensated absences	2,580,160	67,326	0	2,647,486	67,326
Designated for uninsured claims	500,000	191,972	0	691,972	191,972
Designated for health insurance	3,209,410	754,230	0	3,963,640	754,230
Designated for future expenditures	8,766,428	610,442	0	9,376,870	610,442
Designated for Longville Ambulance SSD	137,643	42,980	0	180,623	42,980
Designated for petty cash	2,251	0	0	2,251	0
Designated for environmental grants	72,915	62,256	0	135,171	62,256
Total Unreserved Designated Fund Balance	22,010,485			23,884,987	
Total Reserved & Designated Fund Balance	24,878,849			26,632,881	

Road & Bridge Fund

	Balance 12/31/2009	Additions	Deletions	Balance 12/31/2010	Net Change
Reserved					
Inventories	568,172	0	114,889	453,283	(114,889)
Total Reserved Fund Balance				453,283	
Unreserved - Designated					
Designated for future expenditures	44,141	2,756	0	46,897	2,756
Designated for cash flows	4,089,996	537,837	0	4,627,833	537,837
Total Unreserved Designated Fund Balance				4,674,730	

Unorganized Townships Fund

Unreserved - Designated

Designated for cash flows	114,000	800	0	114,800	800
Total Unreserved Designated Fund Balance				114,800	

Health, Human and Veteran Services Fund

	Balance 12/31/2009	Additions	Deletions	Balance 12/31/2010	Net Change
Reserved					
Birth/Death Certificates	140	0	0	140	0
Total Reserved Fund Balance				140	
Unreserved - Designated					
Designated for cash flows	5,774,621	0	30,810	5,743,811	(30,810)
Designated for Social Service Drug and Alcohol Addiction Fees	6,683	0	0	6,683	0

Designated for Income Maintenance Food Support Enhanced Funds	26,409	0	2,610	23,799	(2,610)
Total Unreserved Designated Fund Balance				5,774,293	
HHVS Long Term Liability Designation					
Social Services State Child Welfare Targeted Case Management Contingency Funds	109,017	0	54,509	54,508	(54,509)
Total Long Term Liability Designation				54,508	

8C. Mr. Wolfe presented the 2011 forfeited tax settlement (2010 receipts) and distribution of the same to Cass County taxing jurisdictions.

M/S/P Peterson, Dowson – To approve the 2011 forfeited tax settlement (2010 receipts) in the amount of \$1,201,930.00 and distribution of the same to Cass County taxing jurisdictions as presented. Unanimous.

9A. Land Commissioner Josh Stevenson informed the Board that the Land Department has been working with the Over the Hills Gang ATV Club to put together an ATV Grant-In-Aid application. The trail locations in Cass County are the townships of Crooked Lake, Beulah, Thunder Lake, and Smoky Hollow Townships, as well as Emily Township in Crow Wing County with a total of 80 miles proposed. Mr. Stevenson commented that the club has obtained approval of the local units of government to complete the application. The grant in aid process requires a local unit of government sponsor to submit the application. Over the Hills Gang ATV Club member Perry May requested that Cass County be the sponsor of this ATV Grant-In-Aid grant application to the MNDNR which will complete their review and provide comments.

M/S/P Peterson, Gaalswyk – To approve sponsorship of the Over the Hills Gang ATV Club ATV Grant-In-Aid application, and further, to authorize the Cass County Land Department to submit the application to the MNDNR for review and comment. Unanimous.

10A. County Administrator Robert Yochum presented to the Board the following matters:

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

Approve - Board Minutes of June 21, and Planning Retreat Meeting of June 24, 2011.

Approve - Auditor warrants dated June 23, 2011 in the amount of \$366,983.27.

Approve - HHVS Auditor warrants dated June 24, 2011 in the amount of \$160,667.61.

Approve - HHVS Commissioner warrants dated June 24, 2011 in the amount of \$254,727.78.

Approve - Auditor warrants dated June 30, 2011 in the amount of \$568,334.71.

Approve - Auditor warrants dated June 30, 2011 in the amount of \$1,908.00.

Approve Personnel Items - A. Budgeted positions scheduled for replacement - 1. Receive & file - Notice of the appointment of Sentence to Service Crew Leader George Martin, effective April 27, 2011, Grade 21, Step 10. 2. Receive & file - Notice of retirement of Marcia Freeman, Financial Assistance Specialist, effective July 29, 2011. 3. Receive & file - Notice of intent to fill the budgeted Financial Assistance Specialist position vacated by Marcia Freeman, grade 22. 4. Receive & file - Notice of appointment Lori Muller as County Agency Social Worker, grade 28, step 1, effective June 20, 2011. 5. Receive & file - Notice of appointment Michael Edminster as County Agency Social Worker, grade 28, step 1, effective June 30, 2011. B. Positions scheduled for no replacement: None. C. Other: None.

Approve Licenses – On & Off Sale Intoxicating Liquor including Sunday Application - Kimberly Triolo Club - Concept Mexitalia, LLC, Todd Triolo/Michael Pestello, Powers.

Approve - Pay request to Deep Portage Reserve for Federal grant project – (Hot Water Storage-Sun Energy-\$19,000.00); Solar System (Rural Renewable Energy Alliance - \$36,231.00); Envelope Improvements (Tony Peterson Const. - \$18,000.00) in the amount totaling \$73,231.00.

Approve - Remaining 50% payment of financial contribution for FY2011 - Cass County Historical Society, Cass County Ag. Society-Pillager Fair; Cass County Ag. Assn – Pine River Fair, each in the amount \$2,500.00, and the Initiative Foundation in the amount of \$8,175.00.

Receive & file - Pine River Area Sanitary District Audit FY's ending December 31, 2010 and 2009.

Approve - Reimbursement of Cass County Housing & Redevelopment Authority Board member per diem and mileage expense in the amount of \$3,300.00 from January 2011 – through June 2011.

Approve - awarding mowing contracts to A& M Forestry as low bidder in the amount of \$1,420.00 for Cut Lake/Hiram, Snowflea/Mayo Creek in the amount of \$985.00, and Vermillion/Thunder Hollow/Washburn/Old Grade in the amount of \$2,840.00 upon receipt of proper insurance requirements.

Bidder	Cut Lake/Hiram	Snowflea/Mayo Creek	Vermillion/Thunder Hollow/ Washburn/Old Grade
A & M Forestry	\$1,420	\$985	\$2,840
Mutch's Forestry	\$2,250	\$800 (declined acceptance)	\$4,500
Sawyer Timber Co.	\$2,800	\$1,100	\$6,250

Authorize - Payment of amended invoice #41154925 to Motorola in the amount of \$860,696.49 (ARMER Project).

Receive & file - Correspondence from USFS on environmental assessment (EA) for the South Leech Lake 2 Resource Management Project.

Approve - HHVS County Participation Agreement from UCare an addendum to the original participation agreement dated 5/15/2005 regarding the Targeted Case Management schedules.

Receive & file – project continuation notice to MNDot – CSAH#1 contract.

Approve - Change in IRS mileage rate of reimbursement from .51¢ per mile (County department vehicle available and not used .25¢ per mile) to 55.5¢ per mile (County department vehicle available and not used .27.5¢ per mile) for miles driven after July 1, 2011.

Approve - Final pay request #3 electric for Deep Portage Project to Residential Wind Power, Inc. in the amount of \$14,999.03.

Approve - Pay request #2 plumbing for Deep Portage Project to KMI Mechanical, Inc. in the amount of \$66,714.70.

10B. County Administrator Yochum reported findings of a County Commissioner redistricting committee. Per Board action of April 19, 2011 Auditor-Treasurer Sharon Anderson, Technical Support Specialist Don Hoppe and County Administrator Robert Yochum reviewed census data, related State law and

possible approaches to changes in County Commissioner election districts. Auditor-Treasurer Anderson discussed the 2010 census data sorted by the current County Commissioner districts indicating the difference from the population mean of 5,713 per district (not to exceed 10% by Statute), and calculation of the Statutory "five percent rule" that determines if incumbents elected in 2010 need to end their terms in 2012 as a result of redistricting. Mr. Yochum presented a map indicating the current County Commissioner districts with the minimum number of changes to comply the "ten percent rule". Technical Support Specialist Don Hoppe explained a map of possible County Commissioner districts reflecting past census trends (including an allowance for probable change) and most contiguous to reflect communities of interest. Mr. Yochum also presented a map of one of the many possible county commissioner district alternatives in between the present and future. The Committee also presented related timetable deadlines provided by MN House Research dated February 2011 and suggested that the Board receive & file the report and endorse a preferred plan at a future Board meeting.

M/S/P Dowson, Downham – To receive & file the Cass County Commissioner Redistricting Committee Report dated Tuesday, July 5, 2011. Unanimous.

- 10C. Administrator Yochum presented a summary of proposed Land Use Ordinance revisions that are scheduled for 1st reading at a public hearing by the Cass County Planning Commission on Wednesday, July 13, 2011, 5:00 p.m. at the Backus Land Department.

M/S/P Gaalswyk, Peterson – To appoint a Committee of the Board (Commissioners Gaalswyk, Peterson) to review the proposed Land Use Ordinance revisions and, if needed, provide comments at the public hearing by the Cass County Planning Commission on Wednesday, July 13, 2011, 5:00 p.m. at the Backus Land Department. Unanimous.

- 10D. Administrator Robert Yochum presented correspondence from property owner Mark Peine regarding Cass County employees - ESD Resource Specialist Retta Freeman; Technical Specialist Kelly Condiff; MN, and Core Worker Intern Colette Wright thanking them for providing technical assistance service for on the replacement of a retaining wall on his river side property located in Pine River, MN. By consensus, the Board requested a report back from the ESD Director regarding the shoreland restoration program process.
11. Administrator Yochum discussed the upcoming meeting schedule: County Board Meeting in Commissioner District #3, Tuesday, July 19, 2011, 6:00 p.m. at Thunder Lake Township - 4643 State 6 NE, Remer, and MN.
12. Chairman Dowson adjourned the meeting at 11:50 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator