

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
July 19, 2011**

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners with the flag pledge at 6:00 p.m. on Tuesday, July 19, 2011 at the Thunder Lake Town Hall, 4643 State 6 NE, Remer, 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
Dave Enblom	Highway Engineer	Kris Lyytinen	Assistant Highway Engineer
Tom Burch	Sheriff	Kerry Swenson	Emergency Management Coord.
John Ringle	ESD Director	Josh Stevenson	Land Commissioner
Dick Olsen	Thunder Lake Twp.	Dick Sawvel	Thunder Lake Twp.
Ken Krussow	Thunder Lake Twp. Clerk	Darlene Krussow	Thunder Lake Twp.
Michael Czeck	Thunder Lake Twp.	Larry Myer	Thunder Lake Twp.
Robert A. Miller	Thunder Lake Twp.	Tennis Loverink	Thunder Lake Twp.
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Downham, Peterson - To approve the agenda items for discussion as presented and the addition of Item 6D. (Acceptance of grant award from Central MN EMS to Sheriff's Office in the amount of \$1,500.00). 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 - Regular Board Minutes of July 5, 2011.

Approve - Auditor Manual Warrants dated June 30, 2011 in the amount of \$8,805,228.88.

Approve - HHVS Auditor Warrants dated June 30, 2011 in the amount of \$62.00.

Approve - Auditor Warrants dated July 7, 2011 in the amount of \$1,203,976.14.

Approve - HHVS Auditor Warrants dated July 8, 2011 in the amount of \$55,016.48.

Approve - HHVS Commissioners Warrants dated July 8, 2011 in the amount of \$55,711.85.

Approve - Auditor Warrants dated July 14, 2011 in the amount of \$556,762.78.

Receive & file - Monthly Budget Reports.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file notice of retirement of Lynette L. Emery, Veterans Benefit Specialist, effective July 29, 2011 and authorize a Certificate of Appreciation for her 24 years of service. 2. Receive & file notice of appointment of Melissa A. Stearns, County Agency Social Worker, grade 28, step 1, effective July 5, 2011. 3. Receive & file notice of appointment of Tammy Miller, Case Aide-IMU position, Grade 18, Step 3 effective July 23, 2011. 4. Receive and file notice of the intent to fill a vacant Financial Worker position, Grade 20, Step 1. B. Positions scheduled for no replacement: 1. Receive & file notice of the resignation of Clarissa Dumdei, Grade 32, Public Health Nurse, effective July 29, 2011. 2. Receive & file notice of intent to table filling the Public Health Nurse position vacated by Clarissa Dumdei. C. Other: 1. Authorize grade rating evaluation submission to Public Employment HR Consulting (PEHRC) for Cass County Veterans Benefit Specialist. 2. Authorize HHVS Director to grant a disability leave to Janna Wolter, Grade 32, Public Health Nurse, effective July 11, 2011 for a period not to exceed 6 months (actual length of leave to be determined by the HHVS Director after additional medical information and assessment of agency work load).

Approve licenses – On Sale 3.2 Beer - The Narrow's on Roosevelt - (Intoxicating liquor license was not approved by the state before shut down), Jacqueline Kratz, Crooked Lake. Gambling - Ruffed Grouse Society at Deep Portage, Jerry Lamon, Woodrow. Off Site Liquor - This event, also known as the Growlers Party, is a City celebration taking place on July 30th, 2011 from 10:00 am to 1:00 am July 31st (location of this event is across the street from the Bears Den in Leader on parcel #26-006-3704 & 3705) Gary Dauer, Meadowbrook.

Deny license – Revoke tobacco license to Riverside Quick Stop - Guy Greene, Federal Dam (license was approved 12/21/10 contingent upon payment of delinquent property taxes, taxes still owed at 7/11/11 are \$1,529.75 for 2010).

Receive & file - Auditor -Treasurer's interest income report for June 2011.

Receive & file - Timber auction results of June 30, 2011 (4,868.00 cords totaling \$127,557.00).

Authorize - HHVS continued participation in the Lutheran Social Service of Minnesota Senior Companion Program from July 1, 2011 to June 30, 2013 – budgeted costs of \$2,000.00.

Approve - Cass County Probation Office to submit the 2012 MN Dept. of Public Safety grant application in the amount of \$113,700.00 to support the Cass County/Leech Lake Wellness Court.

Approve - HHVS - Home & Community Based Services contract for Senior Adult Foster Care, Pillager, MN from July 1, to December 31, 2011.

Approve Assessor's Office Abatelements - Timothy Zuelow - Pike Bay, Homestead 2010/2011; Timothy Zuelow - Pike Bay, Homestead 2009/2010; Timothy Zuelow - Pike Bay, Homestead 2008/2009; Dennis Lunning – Wabedo, Cancel PPTT 2011/2011; Jeff Holly - Wilkinson - Cancel PPMH 2011/2011.

Authorize - 2<sup>nd</sup> quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

M/S/P Gaalswyk, Peterson - To approve accepting the low quote from Marco in the amount of \$10,243.57 plus tax for HHVS work stations at the Cass County Land Department, Backus, MN. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Marco	\$10,243.57 + tax
North Country Business Products	\$10,756.64 +tax

Approve - Cass County Family Center quarterly progress reports and payment of quarterly expense claims totaling \$19,822.00.

Approve - Out of state travel for Sheriff Tom Burch – National Sheriff's Institute in Longmont, CO on Sept. 18-24, 2011 (all expenses for meals, lodging and training paid by the National Sheriff's Association).

Receive & file - Cass County HHVS cash account balance comparison and child service costs through June 2011.

- 2B. County Administrator Yochum reported that the Minnesota Legislature went into special session at 3:00 p.m. Tuesday, July 19, 2011 to focus on the adoption of a State budget for July 1, 2011 through June 30, 2013. Mr. Yochum added that County service delivery had minimal disruption during the State shutdown and that the staff will summarize upcoming legislation as it occurs. No action necessary.
- 2C. County Administrator Yochum summarized the Personnel Committee of the Board meeting held Monday, July 18, 2011 regarding an AFSCME HHVS Unit Step 3 grievance (Union objection to changing the job posting procedure for job specific positions). Mr. Yochum noted that in the past there had been as many as eight Social Worker job descriptions and currently there are two Social Worker positions in accordance with the MN Merit System and County Board action of April 19, 2011. The Personnel Committee of the Board recommends denial of the grievance.

M/S/P Downham, Gaalswyk – To deny the AFSCME HHVS Unit Step 3 grievance dated July 5, 2011 regarding job postings, and further, to refer the same to Labor Counsel Tom Fitzpatrick. Unanimous.

- 2D. Administrator Yochum reported back on tabled board action of Tuesday, April 19, 2011 regarding the annual Cass County auction. The Board requested examination of electronic sale options. Mr. Yochum presented a report including: live auction sale results of August 23, 2010 totaling \$36,281.33, information on an online auction service from PublicSurplus.com website, a tentative list of items for a 2011 auction, and the 2010 MN Statutes 330.06 Unlicensed Sales - which allows the Sheriff to hold an auction. The estimated cost of live auctions appears to be similar to electronic auctions (approximately 15% of sales) after considering commissions, advertising and preparation. Mr. Yochum reported that due to the small volume of sale items and savings to the County that Sheriff Tom Burch offered to conduct the 2011 auction.

M/S/P Peterson, Gaalswyk - To accept Sheriff Tom Burch's offer to conduct the 2011 Cass County Auction, and direct staff to invite Cass County Townships & Cities to participate. Unanimous.

- 3A. Chairman Dowson acknowledged the Public Hearing Notice on the revocation of County road status for Minnow Bucket Lane NE located in Thunder Lake Township. County Highway Engineer David Enblom presented three options: Option #1 - To revoke Minnow Bucket Lane NE to Thunder Lake Township, Option #2 – To extend the private driveways to CR #7, and Option #3 – Minnow Bucket Lane NE could become a private road. Area residents and Township Officers discussed the alternatives and reported no consensus has been reached at this time.

M/S/P Peterson, Gaalswyk – To close the public hearing on the revocation of County road status for Minnow Bucket Lane NE located in Thunder Lake Township, and further, request the Cass County Highway Department to develop a preferred option after consulting Thunder Lake Township officials and area residents. Unanimous.

- 4A. Highway Engineer Dave Enblom presented bid results for award consideration for SP 011-607-010 – CSAH 7 Pavement Preservation from CR 129 to State Hwy. #6. Bids were opened at 2:00 PM on July 13, 2011.

Project No.: SP 011-607-010 (CSAH #7 Pavement Preservation)  
Engineers Estimate \$1,660,833.75

<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Tri-City Paving, Inc.	\$1,605,455.10	3.33% Under Estimate
Anderson Brothers Construction Co.	\$1,672,270.92	0.69% Over Estimate
Central Specialties, Inc.	\$1,823,547.54	9.80% Over Estimate
Hawkinson Construction Co., Inc.	\$1,950,674.39	17.45% Over Estimate
Knife River Materials	\$1,958,771.88	17.94% Over Estimate

M/S/P Peterson, Downham - To award the bid to the following apparent low bidder (received on July 13, 2011) for SP 011-607-010 (CSAH #7 pavement preservation) to Tri-City Paving, Inc. in the bid amount of \$1,605,455.10 (3.33% Under Estimate of \$1,660,833.75) contingent upon MnDOT approval. Unanimous.

- 4B. Mr. Enblom presented correspondence from the USFS Chippewa National Forest regarding a turn lane project at the Walker Forest Service Station entrance on Trunk Hwy. #371 and re-alignment of Walker Bay Boulevard. The USFS requests Cass County to act as project sponsor that allows commitment of Federal funds.

M/S/P Dowson, Peterson – To approve Cass County to act as project sponsor for the USFS Turn Lane Project located at the Walker Forest Service Station entrance on Trunk Hwy. #371, and further, that fiscal agent status for the project will be determined at a later date. Unanimous.

- 5A. ESD Director John Ringle discussed the AdHoc Committee of the Board (Gaalswyk, Peterson) meeting of Monday, July 11, 2011 regarding land use ordinance revisions, and the shoreland restoration program process. Mr. Ringle reported that the AdHoc Committee comments on the land use ordinance revisions were filed with the Planning Commission at their hearing of July 13, 2011. The Planning Commission continued the public hearing to a date after Monday, August 8, 2011. The committee report also noted that public staff assistance on shoreland restoration is incidental to completing these cost sharing projects and that efforts continue to develop private market capacity. No action necessary.
- 5B. Mr. Ringle presented a planning and zoning activity report for 2011 second quarter and first half totals. First half 2011 zoning permit activity was down about 10.6% with ESD issuing 486 permits compared to issuing 544 permits for the same period in 2010. Revenue on zoning actions was down \$11,232 (8.8%) this year on first half revenues of \$115,548 versus \$126,780 during the first half of 2010. Activity by township was provided. Cass County ESD continues to meet the demand for services with 2 field staff - down one field staff person from last year. No action necessary.

6A. Emergency Management Services Coordinator Kerry Swenson presented a draft of Continuity of Operations Planning (COOP) that would prepare Cass County in the event of an emergency including a natural disaster. Mr. Swenson added that a final plan will be submitted to the Board in November 2011. No action necessary.

6B. Mr. Swenson presented an update on the ARMER budget reporting that negotiations are underway with Motorola for a credit on the return of twenty mobile radios and return of twenty-nine portable radios. No other significant budget changes are anticipated. No action necessary.

6C. Mr. Swenson requested Board approval to purchase a heating and air conditioning unit for the Walker Tower Site due to the addition of ARMER equipment which has increased the heat load in this County owned building.

M/S/P Kangas, Gaalswyk – To accept a quote from Thermo Bond Buildings, LLC in the amount of \$5,881.00 for the installation of a heating and air conditioning unit for the Walker tower site building due to the addition of ARMER equipment (source of funds ARMER capital budget). Unanimous.

6D. Mr. Swenson requested Board approval to accept a grant award from the Central MN EMS Region in the amount of \$1,500.00 to help offset a portion of the cost to purchase four first responder medium medic bags (total cost of \$3,009.68) to be placed in Sheriff's Office squad cars.

M/S/P Downham, Peterson – To accept a grant award from the Central MN EMS Region in the amount of \$1,500.00, and to approve the purchase of four first responder medium medic bags in the amount of \$3,009.68 for Cass County Sheriff's Office squad cars. Unanimous.

7A. Land Commissioner Josh Stevenson presented a draft agreement with FSC/SmartWood. The agreement serves as a contract between Cass County and FSC/Smartwood to conduct the 2011 annual audit in the amount of \$7,337.00.

M/S/P Downham, Kangas – To approve the 2011 FSC/SmartWood audit agreement as presented in the amount of \$7,377.00. Unanimous.

7B. Mr. Stevenson presented quotes from ten qualified bidders for certificates of survey and monumentation in Blind Lake Twp. - Sections 23, 26, and 35; Byron Township - Sections 27 and 34; and May Township - Section 1. The surveys are needed in the identified areas to determine property lines necessary for timber management and avoid unintended trespass. Approximately ten miles of property lines will be determined.

M/S/P Kangas, Gaalswyk – To approve accepting quotations for certificates of survey and monumentation as follows: Project #6 – Blind Lake Township (Sections 23, 26, and 35) to Stonemark Land Surveying, Inc., not to exceed \$8,640.00, Project #7- Byron Township (Sections 27 and 34) to Arro Land Surveyors, LLC not to exceed \$5,559.00, and Project #8 - May Township (Section 1) to Stonemark Land Surveying, Inc., not to exceed \$7,460.00. Unanimous.

<u>Company</u>	<u>Project #6 Blind Lake Twp.</u>	<u>Project #7 Byron Twp.</u>	<u>Project #8 May Twp.</u>
Anderson Land Surveying, Inc.	\$24,160.00	\$9,010.00	\$16,470.00
Arro Land Surveyors, LLC	\$10,812.00	\$5,559.00	\$7,676.00
Bolton & Menk, Inc.	\$12,400.00	\$9,200.00	\$7,900.00
Kohout Surveying	\$12,750.00	\$8,875.00	\$7,700.00
Kramer, Leas, Deleo	\$ 9,875.00	\$9,700.00	\$10,250.00
Northern Lights Surveying & Mapping, Inc.	\$18,940.00	N/A	N/A
Northern Engineering & Consulting, Inc.	\$12,360.00	\$10,760.00	\$10,100.00
Nyberg Surveying, Inc.	N/A	\$14,000.00	N/A
Short Elliott Hendrickson, Inc.	\$58,500.00	\$33,250.00	\$32,500.00
Stonemark Land Surveying, Inc.	\$8,640.00	\$5,620.00	\$7,460.00

8. Administrator Yochum discussed the upcoming meeting schedule:

9. M/S/P Kangas, Peterson – To adjourn the meeting at 7:29 p.m. Unanimous.

SIGNED: \_\_\_\_\_  
 Jim Dowson, Chairman  
 Cass County Board of Commissioners

ATTEST: \_\_\_\_\_  
 Robert H. Yochum  
 Cass County Administrator