

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
October 18, 2011**

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, October 18, 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	Kerry Swenson	Emergency Mgmt. Coord.
David Enblom	Highway Engineer	Josh Stevenson	Land Commissioner
Don Hickman	Initiative Foundation	Jamie Richter	HHVS
John Ringle	ESD Director	Retta Freeman	ESD
Brita Sailer	HHW-Pharmaceutical Program	Sandi Krueger	10 Mile concerned neighbor
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

- 1B. M/S/P Kangas, Gaalswyk – To approve the agenda items for discussion as presented and the addition of Item 5C. (Board approval to purchase Sheriff's Office 2012 vehicles from State contract). Unanimous.

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

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

Approve - Board Minutes of October 4, 2011.

Approve - HHVS Auditor warrants dated September 29, 2011 in the amount of \$8,395.44.

Approve - Auditor manual warrants dated September 30, 2011 in the amount of \$824,147.62.

Approve - HHVS Auditor warrants dated September 30, 2011 in the amount of \$25.00.

Approve - Auditor warrants dated October 6, 2011 in the amount of \$285,212.11.

Approve - HHVS Auditor warrants dated October 7, 2011 in the amount of \$89,156.63.

Approve - HHVS Commissioners warrants dated October 7, 2011 in the amount of \$52,211.04.

Approve - Auditor warrants dated October 13, 2011 in the amount of \$979,267.09.

Receive & file - Monthly Budget Reports.

Approve personnel actions - A. Budgeted positions scheduled for replacement: 1. Receive & file notice of appointment of Daniel McMahon Veterans Benefit Specialist, grade 17, step 1, effective October 17, 2011. B. Positions scheduled for no replacement: None. C. Other: 1. Approve Sheriff Tom Burch appointing authority request: That pursuant to the Memorandum of Understanding dated 09-22-11 between Teamsters Local # 320 (Deputy/Jail Unit) and Cass County that the at-will positions of Lieutenant and Chief Deputy be allowed to return to their previous position if they should leave the positions of Lieutenant and Chief Deputy in good standing.

Approve - On & Off Sale 3.2 Beer - Iowana Beach Resort - Wilderness Retreat, LLC, Unorganized. Gambling - Backus American Legion @ Kimberly Triolo Club - Robert Johnson, Powers.

Accept - Grant No.090311 from the George W. Neilson Foundation in the amount of \$13,500 to be used for Cass County's K-9 Program.

Approve - Resolution No. 50-11 accepting 2011-2013 Off-Highway Vehicle Enforcement Grant (#O34537) in the amount of \$18,364.00 per year.

Commissioner Peterson offered Resolution No. 50-11 and moved its adoption; Commissioner Downham seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the Off -Highway Enforcement Grant Agreement (#O34537) for a total amount of contract of \$18,364.00 per year with the State Department of Natural Resources, and authorizes signatures of the Chairman, Auditor and Sheriff to execute the Agreement.

Resolution No. 50-11 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, and Peterson. Nays: None.

Approve - Submission of 2012 Vulnerable Children and Adults Act Service Plan to the Department of Human Services.

Approve - Submission of 2012-2013 MFIP Biennial Service Agreement with the Department of Human Services.

Approve - Submission of HHVS Emergency Assistance (EA) Program revised plan effective Oct. 18, 2011 to the Department of Human Services.

Approve - Cass County Family Center quarterly progress reports and payment of quarterly expense claims totaling \$11,715.33 (HOWA, Pillager, and Northland).

Approve - Memorandum of Understanding between Cass County HHVS and Central MN Council on Aging for federal fiscal year 2012, for the provision of Long Term Care Consultation and Long Term Care Options Counseling.

M/S/P Peterson, Downham – To award a contract to Outdoor Creations and Renovations not to exceed \$10,900 and additional pit run fill as needed and authorized by the Land Department at a price of \$12.50 per cu.yd. delivered for reroute of snowmobile trails in Blind Lake Township in Sections 32, 33, 34, and 35. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Outdoor Creations & Renovations	\$10,900/\$12.50 cu.yd.
Sawyer Timber	\$13,475/\$15.00 cu.yd

Schrupp Excavating

\$20,000/\$13.00 cu.yd

Approve – Fee for service agreement between Cass County and the Conservation Corps Minnesota (Project Number 111-501-13472) to complete work associated with the Conservation Partners Legacy Grant – Silver and Carnahan Lake CPLG and authorizes the Land Department to pay for same.

Authorize - 3rd quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

Approve - Cass County application for Election Assistance for Individuals with Disabilities (EAID) Grant Program (\$904.30).

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

Receive & file - 2011 second Quarter ESD Planning and Zoning Activity report.

- 2B. Mr. Yochum summarized the Citizen Budget Committee meetings of September 23, and September 30, 2011. Citizen Budget Committee recommendations from the referenced meetings include: 1.) To expand the present \$80,000 per year heating, ventilation and air conditioning (HVAC) maintenance contract to include additional coverage at an estimated cost of \$86,000 per year, 2.) To budget and disperse the 2012 contributions to the Pine River Fair, Pillager Fair, County Museum, Initiative Foundation, and Economic Development Corporation the same as 2011, 3.) To fund the Kitchigami Regional Library Board at the 90% maintenance of effort level as permitted by the 2011 MN Legislature, 4.) To offer Citizen Budget Committee assistance in annual updates of the Cass County Capital Plan, and 5.) To adopt a 2012 operating budget as follows: expenditures of \$48,333,162, a contingency of \$879,405, revenues from property tax of \$20,046,613, and revenues from all other sources \$29,165,954.

M/S/P Kangas, Peterson – To receive and file the recommendations from the Cass County Budget Committee and consider the same as part of the 2012 budget adoption scheduled for December 20, 2011 following the 2012 budget public hearing scheduled for December 08, 2011. Unanimous.

- 2C. Mr. Yochum reported possible mailing formats developed by the Association of MN Counties (AMC) to communicate changes by the MN Legislature to the Homestead Market Value Credit for taxes payable in 2012. The Board also reviewed a related fifteen page report presented by Chief Financial Officer Larry Wolfe at the October 06, 2011 annual Cass County Township Association meeting. Administrator Yochum requested Board approval to include a reference on the Truth-N-Taxation notices (scheduled for release beginning the week of November 13, 2011) to the Cass County website for more 2012 budget and property tax information.

M/S/P Gaalswyk, Peterson – To approve including a reference to the Cass County website on the Truth-N-Taxation notices for more 2012 budget and property tax information. Unanimous.

- 3A. Chief Financial Officer Larry Wolfe presented the Minnesota Office of State Auditor's Audit for the year ending December 31, 2010. Mr. Wolfe reviewed the Management and Compliance Report from the OSA, Cass County's response to the Audit findings, Cass County's balance sheet, Statement of Revenues/Expenditures, and changes in fund balance for the year ending December 31, 2010. The Board acknowledged the expertise and efforts of County financial staff.

M/S/P Dowson, Peterson – To accept the Minnesota Office of State Auditor's Audit of Cass County for the year ending December 31, 2010. Unanimous.

- 3B. Chief Financial Officer Larry Wolfe summarized the Insurance Committee Meeting of October 14, 2011. Items discussed included: 2011 financial trends, 2012 budget estimates, and 2012 plan review. Mr. Wolfe reported unanimous recommendations from the Committee: 1.) To approve the 2012 monthly premium cost by plan and contribution calculation, 2.) To make no changes in the core or elective plan benefits including declining the "conversion coverage option", and 3.) To approve 2012 contract renewals: Cafeteria Plan Administration and Flex Accounts - TASC, Health Care Savings Accounts – BC/BS Select, Life Insurance – MN Mutual through Integrity, Short & Long Term Disability & Dental – Assurant through Integrity. CFO Wolfe indicated that upon Board action of the 2012 program open enrollment would occur November 7, 2011 through December 2, 2011.

M/S/P Kangas, Peterson – To approve the recommendations of the Insurance Committee: 1.) To approve the 2012 monthly premium cost by plan and contribution calculation, 2.) To make no changes in the core or elective plan benefits including declining the "conversion coverage option", and 3.) To approve 2012 contract renewals: Cafeteria Plan Administration and Flex Accounts - TASC, Health Care Savings Accounts – BC/BS Select, Life Insurance – MN Mutual through Integrity, Short & Long Term Disability & Dental – Assurant through Integrity. Unanimous.

- 4A. Don Hickman, Senior Program Manager, discussed the Initiative Foundation five year strategy and goals. Mr. Hickman noted that every donated dollar returns an average of \$5.55 in grants, loans, and scholarships to Central Minnesota communities. 274 grants and 44 business loans have been made to date to organizations and businesses in Cass County. Mr. Hickman thanked the Board for their continued support of the Initiative Foundation and asked for service feedback at any time. No action necessary.

- 5A. Sheriff Tom Burch, Jamie Richter Director of Public Health Nursing, and Brita Sailer from the Household Hazardous Waste Program presented the "Take It To The Box" medical disposal program. Beginning November 1, 2011 a medication disposal box will be located in the lobby of the Cass County Sheriff's Office. The "drop off" box will accept unneeded over-the-counter medications, prescriptions and narcotic drugs 24/7 from community members. The Board expressed interest in knowing the program volume and the potential for offering the service at additional locations. No action necessary.

- 5B. Sheriff Burch and Emergency Services Coordinator Kerry Swenson discussed the ARMER budget status and pending related grant applications. Mr. Swenson explained the need to modify an existing lease for space at the tower located in Pillager, MN owned by Northern Minnesota Public Television, Inc. The proposed lease is for an initial lease term of sixty months in the amount of \$1,350.00 per month and a County option to extend for an additional sixty months at a rate to be determined at the time.

M/S/P Gaalswyk, Downham – To approve a lease for space at the tower located in Pillager, MN owned by Northern Minnesota Public Television, Inc. for an initial lease term of sixty months not to exceed \$1,350.00 per month and a County option to extend for an additional sixty months at a rate to be determined at the time. Unanimous.

- 5C. Sheriff Burch requested Board approval to purchase six new squad vehicles and related equipment not to exceed the 2012 recommended budgeted amount of \$206,000. The replacement equipment would be ordered in 2011 from the MN State bid contract list and delivery would occur in 2012.

M/S/P Downham, Peterson – To approve purchase of six new Cass County Sheriff's Office squad vehicles and related equipment not to exceed \$206,000 from the MN State bid contract list for delivery in 2012. Unanimous.

6. Land Commissioner Josh Stevenson reviewed the list of nine tax forfeit parcels from the 2011 tax forfeit certificate. The classification as non-conservation is required as a condition of land sale recommendation from the MNDNR. Mr. Stevenson presented Resolution No. 51-11 that classifies the nine identified parcel as non-conservation.

Commissioner Peterson offered Resolution No. 51-11 and moved its adoption; Commissioner Gaalswyk seconded:

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

Parcel #1	02-021-2403 21-138-29 Acres: 0.42 Pt of Gov Lot 2	Barclay Township
Parcel #2	24-023-4404 23-133-31 Acres: 5.75 E325.50 Ft of SE of SE LYG SLY of SLY Line of Twp Rd	May Township
Parcel #3	26-344-0965 11-135-31 Acres: 0.00 Wilderness Park Estates 4 th Addn Lot 12 Blk 9	Meadowbrook Township
Parcel #4	41-532-0408 19-133-30 Acres: NA Castle Addn to Bigwater Lot 4 Blk 4	Sylvan Township
Parcel #5	85-337-0120 15-145-31 Acres: NA Original Plat of Cass Lake Lots 5 & 6 Exc S¼ of Lot 6 Blk 1	City of Cass Lake
Parcel #6	85-341-0725 15-145-31 Acres: NA Townsite of Cass Lake Lots 9 & 10 Blk 7	City of Cass Lake
Parcel #7	83-337-0660 27-145-28 Acres: NA Village of Bena Lots 20 Thru 24 Blk 6	City of Bena
Parcel #8	93-217-2403 17-133-30 Acres: 2.09 Pt of E½ of NW	City of Pillager
Parcel#9	93-337-1222 17-133-30 Acres: NA Petersons Addn to Pillager Lots 5 & 6 Blk 12	City of Pillager

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 tax forfeit list and identified any and all nonforested marginal land and wetland.

Resolution No. 51-11 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

7. Highway Engineer David Enblom reviewed bid results from Tuesday, October 11, 2011 on SAP 011-600-017 in Sylvan Township for a State Park Road Account project - 25th Ave. SW reconstruction. Sylvan Township requests the County Board as fiscal agent for the project to concur with their award to the apparent low bidder - Anderson Brothers in the amount of \$114,859.39. Mr. Enblom reported at a prior meeting that the State Park Road Account will pay \$60,000.00 of the cost and Sylvan Township will pay the balance of the project.

M/S/P Gaalswyk, Kangas – To concur with Sylvan Township and as fiscal agent for the project to award a contract to the apparent low bidder - Anderson Brothers in the amount of \$114,859.39 for SAP 011-600-017 in Sylvan Township for a State Park Road project - 25th Ave. SW reconstruction. Unanimous.

Project Name: 25th Avenue SW reconstruction – Sylvan Township
State Aid Project No.: 011-600-017
BMI Project No.: W13.102425

<u>Bidder</u>	<u>Total Bid Amount</u>
Anderson Brothers Construction Co.	\$114,859.39
Tri-City Paving	\$127,148.00
DeChantal Excavating	\$131,854.85
Borden Excavating	\$133,402.00

- 7B. County Engineer David Enblom discussed the potential to exchange snow plow routes with MNDOT in the Longville and Pine River areas to provide more efficient service delivery. Mr. Enblom explained two routes that have been identified to date would be MNDOT doing initial plowing on CSAH#1 and CSAH#44 east of Pine River, and the County doing initial plowing on State Highway #84 from Longville north to State Highway #200. Each road authority would continue to provide all other maintenance including deicing treatments and widening. Approval of a change order under the Master MNDOT/Cass County agreement could implement the route exchange.

M/S/P Dowson, Downham – To approve a change order to the existing MNDOT/Cass County Master Agreement that assigns initial snow plowing responsibility to Cass County for State Highway #84 from the City of Longville north to State Highway #200, and in exchange, assigns initial snow plowing responsibility to MNDOT for CSAH #1 from the City of Pine River east to the Crow Wing County line and CSAH #44 from State Highway # 371 north to State Highway #84. Unanimous.

- 7C. Highway Engineer David Enblom presented a request from the City of East Gull Lake to utilize the Conservation Fund #73 in an additional amount of \$3,000. The funding will be used to offset a portion of unanticipated construction costs of the City of East Gull Lake trail system. Costs of \$14,000 occurred due to significant rainfalls, sedimentation issues with the MPCA, and cost relating to removal, stabilization and replacement of bad soils in a couple of sections under the trail bed prior to paving the trail.

M/S/P Gaalswyk, Peterson – To approve the use of Conservation Fund #73 funds not to exceed \$3,000.00 for the City of East Gull Lake Trail Project to help cover a portion of unanticipated construction costs. Unanimous.

8. Administrator Yochum discussed the upcoming meeting schedule.
9. M/S/P Kangas, Peterson – To adjourn the meeting at 10:30 a.m. Unanimous.

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

ATTEST: _____
 Robert H. Yochum
 Cass County Administrator