

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
November 1, 2011**

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

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
Reno Wells	HHVS Director	Jamie Richter	Director Public Health
Melanie Wolfe	Director of Business Management	Tom Burch	Sheriff
Michele Piprude	Social Services Manager	Josh Stevenson	Land Commissioner
Tim Richardson	Central Services Director	Terry Freeman	Cass County EDC
Linda McNamara	Lake County Nordic Ski Club	Alan Olson	Cass Lake Times
Don Hoppe	Lake County Nordic Ski Club	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent		

- 1B. M/S/P Peterson, Gaalswyk – To approve the agenda items for discussion as presented and the addition of Item 6D.(MNDNR notification of sale of surplus property located in Cass County). Unanimous.

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

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

Approve – Board Minutes of October 18, 2011.

Approve – Auditor warrants dated October 20, 2011 in the amount of \$209,581.55.

Approve – HHVS Auditor warrants dated October 21, 2011 in the amount of \$109,208.91.

Approve – HHVS Commissioner warrants dated October 21, 2011 in the amount of \$186,615.95.

Approve – Auditor warrants dated October 27, 2011 in the amount of \$287,076.37.

Approve – Auditor warrants dated October 27, 2011 in the amount of \$1,970.00.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file notice of appointment of Shawn Birr, permanent part-time Jailer, grade 21, step 1, effective February 6, 2010. 2. Receive & file notice of appointment of Eric Alger, Deputy Sheriff, grade 27, step 1, effective October 31, 2011 and approve Resolution No. 52-11 PERA Police Officer Declaration, 3. Receive & file notice of resignation of Catherine Thompson, County Agency Social Worker, effective November 07, 2011, and 4. Receive & file notice of intent to fill the budgeted County Agency Social Worker position vacated by Catherine Thompson, grade 28. B. Positions scheduled for no replacement at this time: None. C. Other: None.

Commissioner Peterson offered Resolution No. 52-11 and moved its adoption, and Commissioner Kangas seconded:

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permit governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners of Cass County hereby declares that the position of Deputy Sheriff, currently held by Eric Alger, meets all of the following Police and Fire Plan membership requirements:

Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;

Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;

Said position charges this employee with the prevention and detection of crime;

Said position gives this employee the full power of arrest; and

Said position is assigned to a designated police or sheriff's department.

BE IF FURTHER RESOLVED that this governing board hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan salary deduction by the governmental subdivision.

Resolution No. 52-11 was adopted by majority vote: Ayes: Dowson, Gaalswyk, Kangas, Peterson. Absent: Downham. Nays: None.

Approve licenses – Off Sale 3.2 Beer - Mule Lake Store - Paty Underwood, Wabedo. On & Off Sale 3.2 Beer - Sah-Kay-Tay Beach Resort - Sah-Kay-Tay Properties, LLC Pike Bay; Long Pine Store - Cynthia Bussian, Ponto Lake. On Sale 3.2 Beer - Ski Gull - Ski Gull, Inc., Fairview.

Receive & file - 3rd quarter Assessor foreclosure and sales report.

Approve - Assessor's Office Abatements - Robert Rickard - Loon Lake - Class Change 2010/2011.

Approve – Contract for Purchase of Services between Cass County and Rural Minnesota CEP, Inc for 2012 services authorized under the Minnesota Family Investment Program (MFIP).

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

Receive & file – Cass County Sentence-To-Serve Quarterly Report.

Refer – Rental Rehabilitation Deferred Loan Program by MN Housing (MHFA) to the Cass County Housing & Redevelopment Authority and report back at the regular Commissioners Board Meeting of Tuesday, November 15, 2011.

Accept – Donation in the amount of \$50.00 from Charles F. Halsted to be used for the Sheriff's Office - Boat & Water Division.

Approve – Cass Lake Tower Communications Shelter Agreement #00200 located at Cass Lake, MN owned by MNDOT for two (2) base station(s), an initial lease term of December 1, 2011 and expiring November 30, 2021 not to exceed \$300.00 per month.

Approve – Whipholt Tower Communications Shelter Agreement #00199 located at Whipholt, MN owned by MNDOT for two (2) base station(s), an initial lease term of December 1, 2011 and expiring November 30, 2021 not to exceed \$300.00 per month.

Approve – BWSR FY2010 Competitive Grants Program contract amendment to extend expiration date of December 31, 2011 to June 30, 2012.

M/S/P Dowson, Kangas – To refer Resolution No. 33-11 Abatement Policy to a Committee of the Board (Commissioner Neal Gaalswyk volunteered - with staff assistance from Administrator Robert Yochum, Chief Financial Officer Larry Wolfe, Auditor-Treasurer Sharon Anderson, and Assessor Mark Peterson). Unanimous.

Receive & file - Timber auction results of October 27, 2011 totaling 11,122.00 cords plus 24.50mbf saw timber totaling \$179,925.69.

- 2B. Administrator Yochum discussed a request from the Teamsters Local #320 Sheriff's Patrol/Jail Unit to amend an existing Memorandum of Understanding (MOU) defining that bargaining unit's employee severance pay to be contributed to a Post Retirement Health Insurance Plan (PRHIP) administered by the Minnesota State Retirement System. The existing present MOU requires all of the employee's severance pay to be paid into the Post Retirement Health Insurance Plan upon leave from employment with Cass County. The amendment proposes to limit the accumulated sick leave severance pay to the PRHIP to a maximum of four hundred (400) hours and any balance to be paid to the employee.

M/S/P Kangas, Gaalswyk – To approve the amendment to the Memorandum of Understanding between Cass County and Minnesota Teamsters Public Law Enforcement Local #320 Sheriff's Patrol/Jail Unit by limiting the accumulated sick leave severance pay to the Post Retirement Health Insurance Plan to a maximum of four hundred (400) hours and any balance due to be paid to the employee. Unanimous.

- 2C. Mr. Yochum presented a request from the Cass County EDC to extend the initial term of their present lease agreement from five years to ten years beginning December 2006 ending December 31, 2016 for office space at the Cass County Land Department in Backus, MN.

M/S/P Kangas, Peterson – To approve Amendment #1 to the Cass County EDC lease agreement for office space at the Cass County Land Department in Backus, MN by extending the initial term of the present lease agreement from five years to ten years beginning December 2006 ending December 31, 2016. Unanimous.

- 2D. Mr. Yochum submitted a draft of the 2012 Citizen Committee appointment list, and requested permission from the Board to advertise committee openings, and provide personal notice to incumbents.

M/S/P Peterson, Gaalswyk – To receive and file the draft 2012 Cass County Citizen Committee appointment list, to direct the staff to provide personal notice to incumbents, to advertise committee openings on the Cass County Website, and to advertise committee openings in local newspapers (through November 30, 2011). Unanimous.

- 3A. Director of Public Health Nursing Jamie Richter discussed the Statewide Health Improvement Plan (SHIP) strategy that focuses on healthy school food options, active school days, tobacco-free post-secondary campuses, community healthy food environment, smoke-free multi-unit housing, and prevention in health care. Ms. Richter requested approval to submit a 01/01/2012 – 06/30/2013 SHIP grant application to the MN Department of Health along with the Morrison, Todd, and Wadena Counties Community Health Board. The total financial amount of the grant application has yet to be determined, however, the grant base amount is \$75,000 and \$4 to \$8 per capita for combined county targeted populations. The grant does require a 10% in-kind match.

M/S/P Gaalswyk, Kangas – To approve submission of a Statewide Health Improvement Plan (SHIP) Grant application to the MN Department of Health in cooperation with the Morrison, Todd, and Wadena Counties Community Health Board. Unanimous.

- 3B. HHVS Director Reno Wells, Social Services Manager Michele Piprude and Director of Business Management Melanie Wolfe presented the annual Cass County Screening Team Report. Mr. Wells discussed the 49 cases screened from September 2010 through September 2011 - by agency, by age, by gender, by chemicals involved. Primary issues contributing to out of home placement included neglect, behavior, truancy, mental health, abuse and medical. Director of Business Management Melanie Wolfe discussed cost and budget trends for Out-of-Home Placements from 1991 to present. Ms Wolfe also commented on relative custody assistance and home monitoring programs. Mr. Wells presented Resolution No.53-11 establishing the 2012 Cass County Screening Team for Out-of-Home Placements and thanked the Board for their participation on the Cass County Screening Team.

Commissioner Dowson offered Resolution No. 53-11 and moved its adoption; Commissioner Kangas seconded:

Establishing A 2012 Cass County Screening Team for Out-of Home Placements

WHEREAS, The out-of-home placement of children is an interdisciplinary, and multi-jurisdictional process, and
WHEREAS, Coordination of all available resources is necessary to benefit affected families, and the interests of the public at large, and
WHEREAS, County Boards of Commissioners bear part of the responsibility to effectively administer related Federal, and State Law.

NOW THEREFORE, BE IT RESOLVED,

1. That the County of Cass hereby establishes the 2012 Cass County Screening Team:
 - a. HHVS Social Services Manager – Michele Piprude (Chair)
 - b. Probation Director or designee
 - c. Leech Lake Band Appointee
 - d. Mental Health Professional
 - e. Guardian Ad Litem Designee
 - f. County Board Member (appointment by County effective January 01, 2012)
 - g. County Attorney or designee
 - h. Cass County Sheriff or designee
 - i. Cass County Social Services Team Leader (to be appointed by HHVS Director)
 - j. HHVS Director
2. That the County of Cass hereby assigns all applicable administrative authority for the out-of-home-placement of children to the Cass County Screening Team.
3. That the Cass County Screening Team shall submit a status report at least annually to the Board of Commissioners and the District Court.
4. That this resolution is effective upon its adoption.

Resolution No. 53-11 was adopted by majority vote: Ayes: Dowson, Gaalswyk, Kangas, Peterson. Absent: Downham. Nays: None.

- 4A. Central Services Director Tim Richardson discussed the need for Cass County website maintenance and updates. Project strategy includes expanding department level update capabilities, complete an inventory of present pages, and submit a capital plan proposal in the fall of 2012 to change the base template. The Board thanked Mr. Richardson for the update. No action necessary.
- 5A. Chief Financial Officer Larry Wolfe presented information on the Nationwide Roth 457(b) which is an elective deferral account contribution plan that accepts after-tax contributions. The Nationwide Roth 457(b) Plan offers the option for public employees to contribute to their accounts tax-free, and qualified withdrawals taken during retirement will not be subject to income tax. No County contributions or administration are necessary to implement the plan.

M/S/P Gaalswyk, Peterson – To approve participation in the Nationwide ROTH 457(b) elective contribution amendment to the deferred compensation plan that accepts after-tax contributions by Cass County employees, effective January 2012. Unanimous.

- 5B. Mr. Wolfe presented information regarding the Secure Rural Schools Reauthorization. Mr. Wolfe reported that under the current Secure Rural Schools and Community Self Determination Act of 2000 Cass County's last payment will be made by January 2012. If the Act is not reauthorized, Counties will share in the 25-percent payment to States, based on a 7-year rolling average of receipts from the National Forest. Mr. Wolfe also added that the result would be an estimated reduction to the Cass County Highway Department budget for 2012 of approximately \$100,000.00 and an estimated reduction to Cass County School Districts in the same amount.

M/S/P Kangas, Peterson – To approve a legislative position in support of continuation of the Secure Rural Schools and Community Self Determination Act of 2000 and to communicate the same to the Cass County US Congressional Delegation noting that local support of significant public land holdings in our County is based in part on the perception that public owners are paying their fair share of local government costs. Unanimous.

- 6A. Land Commissioner Josh Stevenson requested Board approval to submit a grant application for 2011-2012 GIA Cross County Ski Trail maintenance funds due to the initial interest by volunteer's in forming a Cross Country Ski Club to take over the grooming and maintenance of the State of MN GIA Cross Country Ski Trail Systems. Don Hoppe and Lind McNamara spoke on behalf of the Lake Country Nordic Ski Club indicating their interest in doing the grooming and maintenance with the County acting as the sponsor for grant in aid funds.

M/S/P Kangas, Gaalswyk – To authorize the Cass County Land Department to submit a grant application as the sponsor for 2011-2012 GIA Cross County Ski Trail maintenance funds in cooperation with Lake Country Nordic Ski Club. Unanimous.

- 6B. Mr. Stevenson received a request for a commercial easement from Leah Nolan with Property Consultants Co. on behalf of TDS Telecom over State deeded County administered land in located in Moose Lake Township along 64th St SW. Section 21-136-31 PIN# 27-021-1200.

M/S/P Kangas, Peterson – To grant preliminary approval of an easement to TDS Telecom over State deeded County administered land in located in Moose Lake Township along 64th St SW. Section 21-136-31 PIN# 27-021-1200. Unanimous.

- 6C. Mr. Stevenson received a request from Ricky Allan Gregory and Lou Ann Gregory for a 33' easement over State deeded County administered land on existing trails to access PID #12-035-2415 located in 35-139-26 (Crooked Lake Township). Mr. Stevenson added that there are no delinquent taxes or reciprocal easements needed from the requesting party, a certificate of survey has been received, and the fee has been determined to be \$500.00

M/S/P Peterson, Kangas – To approve a 33' easement to Ricky Allan Gregory and Lou Ann Gregory over State deeded County administered land on existing trails to access PID #12-035-2415 located in 35-139-26 (Crooked Lake Township), and further, the Cass County Land Department will hold the easement pending receipt of the \$500 fee and removal of a related gate from County Administered Land. Unanimous.

- 6D. Land Commissioner Stevenson presented correspondence from the MN Department of Natural Resources (DNR) announcing their intentions to sell surplus state owned lands at a public sale in December 2011. The DNR notice provides an opportunity for the County to express an interest, or not, in purchasing the property(s). The two parcels offered for sale are: Lot 21 Longwood Point – Sec. 5, Twp. 139 (Crooked Lake), Rge. 26 containing 1.22 acres, more or less in the minimum purchase amount of \$55,710.00 and the NE of the SE of Sec. 4, Twp. 144(Wilkinson), Rge. 31, containing 40 acres,

more or less in the minimum purchase amount of \$59,180.00. Mr. Stevenson reported that the subject parcels do not meet the Forest Management plan criteria for purchase by the County.

M/S/P Gaalswyk, Peterson – To notify the MN Department of Natural Resources that Cass County has no interest in purchasing the subject parcels. Unanimous.

7. Administrator Yochum discussed the upcoming meeting schedule: Cass County Department Heads Performance Evaluations on Tuesday, November 29, 2011 beginning at 9:00 a.m., Commissioners Board Room, 1st Floor Annex, Courthouse, MN.
8. M/S/P Kangas, Peterson – To adjourn the meeting at 10:28 a.m. Unanimous.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator