

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
November 15, 2011**

- 1A. Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, November 15, 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	Sharon Anderson	Auditor-Treasurer
Scott Noland	Assistant Land Commissioner	Eric Alger	Sheriff's Office
Chad Emery	Sheriff's Office	Jason Zaffke	Sheriff's Office
Toni Hinsz	Sheriff's Office	Jim Schneider	Probation Director
Reno Wells	HHVS	Michele Piprude	HHVS
Heidi Massie	HHVS	Scott Wilson	Cass Co. HRA
Dave Enblom	Highway Dept.	Laura Hadrava	Highway Dept.
Kevin Lee	LASSD	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent		

- 1B. M/S/P Kangas, Peterson – To approve the agenda items for discussion as presented and the addition of Item 2A24. (Approve letter of support for an EPA grant proposal submitted by Region Five Development Commission to complete a Brownfield Assessment). Unanimous.

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

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

Approve - Board Minutes of November 1, 2011.

Approve - Auditor manual warrants Batch #1 dated October, 2011 in the amount of \$343,479.49.

Approve - Auditor manual warrants Batch #2 dated October, 2011 in the amount of \$3,642,433.40.

Approve - HHVS Auditor warrants dated October 27, 2011 in the amount of \$42.00.

Approve - Auditor warrants dated November 3, 2011 in the amount of \$154,111.32.

Approve - HHVS Auditor warrants dated November 4, 2011 in the amount of \$51,868.49.

Approve - HHVS Commissioners warrants dated November 4, 2011 in the amount of \$86,499.85.

Approve - Auditor warrants dated November 10, 2011 in the amount of \$368,683.27.

Receive & file - Monthly Budget Reports.

Approve Personnel Items - Budgeted positions scheduled for replacement - 1. Receive & file notice of appointment of Hannah Propeck to Public Health Nurse, grade 32, step 1, effective November 2, 2011. Positions scheduled for no replacement at this time: 1. Receive & file notice of retirement of Land Department Resource Manager Jerry Lamon, effective December 30, 2011 and authorize certificate of appreciation for 32 years of service. Other: 1. Receive & file notice of probation completion for Deanna Johnson, Social Worker Team Leader, grade 31, step 8, effective October 30, 2011. 2. Authorize - Land Commissioner to grant a disability leave to Elissa Pickar, Resource Manager, grade 28, effective November 08, 2011 for a period not to exceed 12 months (actual length of leave to be determined by the Land Commissioner after additional medical information and assessment of department work load).

Approve - On & Off Sale 3.2 Beer - Big Rock Resort - Big Rock Resort Owners Association, Turtle Lake; Agency Bay Lodge - Sharon Palmer, Turtle Lake; Grand Vu Lodge -Grand Vu Lodge, Inc., Turtle Lake. On Sale 3.2 Beer - Hunt's Point Sportsman's Club- James Wills, Homebrook. Tobacco - Outing Station - Roosevelt Lk Prop, Inc., Crooked Lake.

Approve - Transfer of funds from Unorganized Township to Highway Department in the amount of \$86,176.66 for road maintenance from July to October 2011.

Receive & file – October 2011 Cass County EDC Activity Report.

Approve - 2012 Welfare Fraud Investigative Services Cooperative Agreement between Cass County HHVS and the Sheriff's Office.

Approve - Non-Financial Agreement with HHVS and Leech Lake Tribal Council for coordination of the Native Employment Works (NEW) Minnesota Family Investment Program (MFIP), Diversionary Work Program (DWP) and child care.

Approve - MNDOT Use Agreements for ARMER Project – Backus#00220(Oshawa tower); Bena#00207(Communication shelter-Bena tower); Hackensack#00199(Whipholt tower); Outing#00201(Draper tower); Pequot Lakes#99727(Leader tower) and Walker#00200(Communication shelter-Cass Lake Tower) terms to begin Dec. 1, 2011 and expire on Nov. 30, 2021, rate per year is \$300.00 except Outing #00201 is \$400.00 per year.

Approve - Tower license agreement at Bena - KOJB Radio – Leech Lake Band of Ojibwe from Dec. 1, 2011 – Nov. 30, 2016-(\$270 per month).

M/S/P Downham, Kangas – To accept a quote for ARMER Project radio installation services from Midstates Wireless at \$218.00 per unit (approximately 235 units) utilizing ARMER Project funds. Unanimous.

<u>Vendor</u>	<u>Installation</u>	<u>Pricing per unit Vendor Location</u>	<u>Pricing per unit Customer Location</u>
Midstates Wireless	Dash Mount Unit – Squad Car	\$125.00	\$165.00
	Split Mount Unit – Squad Car	\$165.00	\$218.00
	Dash Mount Unit – Truck	\$ 90.00	\$119.00
	Split Mount Unit – Truck	\$165.00	\$218.00
	Dash Mount Unit – Fire Truck	\$ 90.00	\$119.00
	Split Mount Unit – Fire Truck	\$165.00	\$218.00
	Dash Mount Unit – Ambulance	\$ 90.00	\$119.00
	Split Mount Unit – Ambulance	\$165.00	\$217.00
	Dual Control Head Unit	\$330.00	\$436.00

<u>Vendor</u>	<u>Installation</u>	<u>Pricing per unit Vendor Location</u>	<u>Pricing per unit Customer Location</u>
Roger's Two Way Radio	Dash Mount Unit – Squad Car	\$150.00	\$201.00
	Split Mount Unit – Squad Car	\$240.00	\$291.00
	Dash Mount Unit – Truck	\$120.00	\$171.00
	Split Mount Unit – Truck	\$160.00	\$211.00
	Dash Mount Unit – Fire Truck	\$150.00	\$201.00
	Split Mount Unit – Fire Truck	\$285.00	\$336.00
	Dash Mount Unit – Ambulance	\$150.00	\$201.00
	Split Mount Unit – Ambulance	\$225.00	\$276.00
	Dual Control Head Unit	\$400.00	\$451.00

<u>Vendor</u>	<u>Installation</u>	<u>Pricing per unit Vendor Location</u>	<u>Pricing per unit Customer Location</u>
Squad Pro LLC	Dash Mount Unit – Squad Car	\$327.57	\$423.76
	Split Mount Unit – Squad Car	\$327.57	\$423.76
	Dash Mount Unit – Truck	\$327.57	\$423.76
	Split Mount Unit – Truck	\$327.57	\$423.76
	Dash Mount Unit – Fire Truck	\$407.73	\$503.92
	Split Mount Unit – Fire Truck	\$407.73	\$503.92
	Dash Mount Unit – Ambulance	\$407.73	\$503.92
	Split Mount Unit – Ambulance	\$407.73	\$503.92
	Dual Control Head Unit	\$167.25(add)	\$167.25(add)

<u>Vendor</u>	<u>Installation</u>	<u>Pricing per unit Vendor Location</u>	<u>Pricing per unit Customer Location</u>
Martin Communications Inc.	Dash Mount Unit – Squad Car	\$260.00	\$514.00
	Split Mount Unit – Squad Car	\$455.00	\$932.00
	Dash Mount Unit – Truck	\$195.00	\$419.00
	Split Mount Unit – Truck	\$370.00	\$838.00
	Dash Mount Unit – Fire Truck	\$422.00	\$855.00
	Split Mount Unit – Fire Truck	\$520.00	\$998.00
	Dash Mount Unit – Ambulance	\$455.00	\$932.00
	Split Mount Unit – Ambulance	\$552.00	\$1,075.00
	Dual Control Head Unit	\$130.00	\$190.00

Authorize - ESD to develop and submit a two-year, 2012-2013 Surface Water Assessment Grant (SWAG) application to the Minnesota Pollution Control Agency for the Leech Lake River Watershed in the amount of \$106,334.00.

Refer - Sheriff's Office staffing plan to the Personnel Committee of the Board (Commissioners Dowson, and Downham).

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

Receive & file - Summary Financial Statement for year ending December 31, 2010.

M/S/P Downham, Kangas – To approve a quote for clean up of sites located in Byron, Moose Lake, Pine River, Bull Moose, Powers, and Hiram Townships to North Fork Boulders at the rate of \$80 per hour not to exceed \$4,000.00 with Cass County paying all tipping fees directly to the transfer station or demolition land fill, and further, to recommended that the clean-up is paid from the Cass County Solid Waste Account. Unanimous.

<u>Bidder</u>	<u>Bid amount per hour</u>
North Fork Boulders	\$80.00 per hour
Schrupp Excavating	\$100.00 per hour
Kurt Sawyer	\$200.00 per hour

Approve - Letter of support for an EPA grant proposal submitted by Region Five Development Commission to complete a Brownfield Assessment.

- 2B. Administrator Robert Yochum reported that per prior Board action the proposed 2012 budget related materials are now posted on the Cass County website and the 2012 proposed property tax notices refer taxpayers to the website for more information. Mr. Yochum summarized the 2012 proposed property tax notices (38,541 parcels) in terms of percentage change and average dollar impact for all taxing jurisdictions and the Cass County proposed levy. Chief Financial Officer Larry Wolfe explained that proposed property tax notices sent out did not reflect two voter approved referendum market value levies for the Brainerd School District #181. Staff explained the proposed property tax notices were calculated based on the levies that were certified by the Minnesota Department of Education and the local School Board in early October 2011. Mr. Wolfe presented draft correspondence that would provide additional information to an estimated 741 property owners in the Brainerd School District #181 that live in Cass County regarding estimated additional 2012 property taxes.

M/S/P Gaalswyk, Downham – To approve correspondence to Cass County property owners in Brainerd School District #181 explaining additions to their 2012 proposed property tax notice as a result of two recent voter approved referendum market value levies. Unanimous.

- 3A. Highway Engineer David Enblom presented correspondence that allows MnDOT to act as the county's agent in accepting federal aid in conjunction with federally funded construction projects. Mr. Enblom presented Resolution No. 54-11 and recommended its adoption.

Commissioner Peterson offered Resolution No. 54-11 and moved its adoption; Commissioner Kangas seconded:

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Cass County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Chairman and the Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and

contained in "Minnesota Department of Transportation Agency Agreement No. 00011", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Resolution No. 54-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 3B. Mr. Enblom and Construction/Design Engineer Laura Hadrava discussed the revisions to the 2012 Construction Program. County Engineer Enblom reported that projects previously scheduled after 2012 (CSAH #8 and four bridge replacements) could be moved up if the Board approved an advance of State Aid funds and accessed State bridge bonding funds currently available.

Mr. Enblom presented Resolution No. 55-11 Implementing County State Aid Street Project(s) in 2012 that requires State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account.

Commissioner Downham offered Resolution No. 55-11 and moved its adoption; Commissioner Kangas seconded:

WHEREAS, the County of Cass is planning to implement County State Aid Street Projects in 2012 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said projects through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date <u>2/01/2012</u>	\$ <u>2,581,383.00</u> (estimated)	
Less estimated disbursements:		
Project # <u>SAP 011-601-020</u>	\$ <u>1,000,000.00</u>	
Project # <u>SAP 011-639-004</u>	\$ <u>400,000.00</u>	
Project # <u>SAP 011-617-005</u>	\$ <u>522,450.00</u>	
Project # <u>SP 011-608-014</u>	\$ <u>1,200,000.00</u>	
Project # <u>SAP 011-634-004</u>	\$ <u>700,000.00</u>	
Project Finals (overruns-if any)	\$ <u>500,000.00</u>	
Other _____	\$ _____	
Total Estimated Disbursements		\$ <u>4,322,450.00</u>
Advance Amount (amount in excess of acct balance)	\$ <u>1,741,067.00</u>	

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Cass in an amount up to \$ 1,741,067.00 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

Resolution No. 55-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 3C. David Enblom presented a draft Memorandum of Understanding (MOU) with MNDOT regarding winter maintenance. Mr. Enblom explained that the draft MOU further defines the initial incident winter maintenance services, and routes previously discussed with the Board.

M/S/P Peterson, Kangas – To approve the Memorandum of Understanding with MNDOT as presented for winter maintenance (defined as initial plowing during snow events and deicing during ice events) with Cass County to perform services on TH 84 between CSAH 7, in Longville, and TH 200, and MNDOT agrees to perform services on CSAH 1, from TH 84 to CSAH 44, and on CSAH 44 from TH 371 to TH 84. Unanimous.

- 4A. Kevin Lee of North Memorial Ambulance presented the third quarter 2011 report for the Longville Ambulance Subordinate Service District (LASSD). Mr. Lee reported that LASSD transported or billed 172 patients vs. 175 for the same time period in 2010. Revenues were \$7,246 under budget, expenses were \$14,222 under budget, and the gross margin was 19.2%. Mr. Lee discussed community involvement, and added that the Brainerd region's overall patient satisfaction score was 93.4 with the North Memorial's Ambulance Division currently ranked 8th out of the 54 ambulance services participating in a national survey. The Board thanked Mr. Lee for the update.

M/S/P Peterson, Downham – To receive & file the Longville Ambulance Subordinate Service District (LASSD) third quarter 2011 report as presented. Unanimous.

5. Cass County Housing & Redevelopment Authority Director Scott Wilson discussed the Central Minnesota Housing Partnership, Inc. request for a resolution supporting their continuation of a Rental Rehabilitation Deferred Loan Program. Mr. Wilson reported that since 1996 the Central MN Housing Partnership has administrated the program within Cass County along with 16 other counties. The program provides rehabilitation funding to rental property owners typically with 8 units or more who serve low and moderate income families. The Cass County HRA works with the Central Minnesota Housing Partnership to market and promote the program within Cass County through a current list of multi-family properties along with marketing services through the Section 8 Program.

Commissioner Kangas offered Resolution No. 56-11 and moved its adoption, Commissioner Gaalswyk seconded:

WHEREAS, Cass County has made significant progress in meeting the need for housing rehabilitation in the cities and rural areas of the county, and

WHEREAS, an unmet need remains for the repair and rehabilitation of rental housing units, and

WHEREAS, the Rental Rehabilitation Deferred Loan program sponsored by Minnesota Housing (MHFA) may provide a means for rehabilitating rental housing units in Cass County.

NOW THEREFORE BE IT RESOLVED that the Central Minnesota Housing Partnership is hereby authorized to submit an "Application for Administrative Authority" to MHFA for participation in the Rental Rehabilitation Deferred Loan program, and the Central Minnesota Housing Partnership is designated as the administrative body for implementing this program in Cass County.

Resolution No. 56 -11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 6A. Assistant Land Commissioner Scott Noland requested Board approval of a repurchase application to David Kahnke, Parcel ID# #24-023-4404, E 325.50 FT of SE¼ of SE¼ LYG SLY of SLY Line of Twp Road located in Section 23 of May Township. The request and satisfaction of all fees and interest was submitted before the one year deadline. The fees with interest totaled \$1,443.23. The request has been favorably reviewed by the Auditor's Office, Land Department Resource Manager and May Township.

Commissioner Gaalswyk offered Resolution No. 57-11 and moved its adoption, Commissioner Kangas seconded:

Be it resolved that the Cass County Board of Commissioners hereby approves the repurchase of Parcel #24-023-4404, E 325.50 FT of SE¼ of SE¼ LYG SLY of SLY Line of Twp Road.

The repurchase to David Kahnke, is authorized for payment of \$1,443.23 for past and current taxes and fees in accordance with the application and subject to deed approval.

Resolution No. 57-11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 6B. Mr. Noland proposed to offer by alternate sale a State deeded County administered parcel (20' strip of land containing 1.27 acres more or less located in Otter Tail Peninsula Township) for the appraised value of \$2,500.00 plus associated fees to adjacent landowners on January 10, 2012 at 8:00 am. Assistant Land Commissioner Noland reported that Otter Tail Township has approved the sale. Mr. Noland presented Resolution No. 58-01.

Commissioner Downham offered Resolution No. 58-11 and moved its adoption, Commissioner Peterson seconded:

WHEREAS, the following parcel of land described as:

A strip of land 20' in width, lying 10' on each side of the following desc center line across & contained within the E½ NE¼, 19-144-29, said 20' strip desc as follows: Beginning at a pt on the east line of said E½ NE¼, said pt being 52.8' south of the NE corner of Sec 19, thence south 25 deg 50' west on a straight line, a distance of 2719.2' to a pt on the south line of said E½ NE¼, said pt being 10' east of the SW corner of said E½ NE¼, said 20' strip containing 1.27 acres more or less. (Otter Tail Peninsula Township).

are Tax-Forfeited lands and the Cass County Board has classified said parcels as non-conservation lands, and

WHEREAS, the Cass County Auditor-Treasurer has determined that the highest and best use of said parcels will be achieved by combining it with adjoining parcels, and

WHEREAS, sale of such parcels is authorized under M.S. 282.01 Subd. 7a.,

NOW, THEREFORE, BE IT RESOLVED: that said parcel be offered for sale by sealed bids to adjoining property owners at no less than its appraised value; the sale will be for cash, and held by the Cass County Auditor-Treasurer at 8:00 a.m., Tuesday, January 10, 2012 at the Auditor's Office at the Courthouse, Walker, MN.

Resolution No. 58 -11 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 6C. Mr. Noland presented quotes from qualified bidders for the re-inventory of approximately 8,689 acres of Cass County Administered Land throughout the County. Mr. Noland added that this project is a budgeted as a three year project 2011 through 2013.

M/S/P Peterson, Downham - To award the bid to the following apparent low bidder of Chandler Johnson, Fairmont MN at a rate of \$3.84 per acre (estimated number of acres to inventory = 8,689) not to exceed \$33,365.76. Unanimous.

<u>Bidder</u>	<u>Acres Bid</u>	<u>Bid price per acre</u>	<u>Total Bid Price</u>
Chandler Johnson	8,689	\$3.84	\$33,365.76
Masconomo Forestry	4,500	\$3.85	\$17,325.00
Stan Grossman	8,689	\$3.98	\$34,582.22
Tucker Forest Services	8,689	\$4.58	\$39,795.62
BeaverTail Enterprises, Inc.	8,689	\$5.23	\$45,443.47
Thomas Bergstrom	8,689	\$5.94	\$51,612.66
Mutch's Forestry Service	8,689	\$6.94	\$60,301.66
Brian Allen	8,689	\$8.00	\$69,512.00
William Haugan	3,000	\$10.28	\$30,840.00

- 6D. Mr. Noland reported the receipt of three qualified bid responses for completing a needs assessment of the Land Department's database management system, upgrade of the existing Prescription Wizard program and the addition of a new web based system. The Assistant Land Commissioner indicated that the current Microsoft Access databases are reaching a maximum capacity and the Prescription Wizard program is not compatible with Arc Map 10x. Mr. Noland added that the goals of this project are to provide improved data entry, more efficient data recovery, and web based public access to Land Department information. Source of funds would be the Land Department through the Forest Development Fund.

M/S/P Gaalswyk, Kangas - To approve a contract for computer services with the apparent low bidder - ProWest & Associates not to exceed \$98,950.00 with the Cass County Land Department reserving the right to re-bid Phase 2 and Phase 3 if the Needs Assessment reveals a large deviation in services required and cost (source of funds - Land Department Forest Development Fund). Unanimous.

<u>Bidder</u>	<u>Phase 1 – Needs Assessment</u>	<u>Phase 2 - Conceptual Design</u>	<u>Phase 3 - Integration & Set-up</u>
Business Software, Inc.	\$15,000	\$15,000	\$20,000 - \$150,000
GeoGlobal Systems	\$24,000	\$32,000	\$48,000
ProWest & Associates	\$3,600	\$13,950	\$18,300 - \$81,400

- 7A. Sheriff Tom Burch introduced four new employees of the Sheriff's Office to the Board: Deputy Eric Alger, Dispatcher/Jailer/Deputy Jason Zaffke, Dispatcher/Deputy Chad Emery, and Dispatcher Toni Hinsz. The Board welcomed the new employees of the Sheriff's Office.
- 7B. Mr. Burch presented the current Cass County Detention fees for booking, fingerprinting, and preliminary breath test (\$10.00), and electronic home monitoring, urine analysis, and Huber sentence per day (\$15.00). Sheriff Burch requested Board approval to increase the listed fees to \$20.00 per event/day effective January 1, 2012.

M/S/P Peterson, Gaalswyk – To approve Cass County Detention fees for booking, fingerprinting, preliminary breath test, electronic home monitoring, urine analysis, and Huber sentence in the amount of \$20.00 per event/day effective January 1, 2012. Unanimous.

8. Administrator Yochum discussed the upcoming meeting schedule:

M/S/P Kangas, Peterson – To approve moving the location of the Tuesday, December 20, 2011, regular Commissioner's Board Meeting beginning at 9:00 a.m. from the Backus, Land Department to the Board Room of the Courthouse Annex, Walker, MN. Unanimous.

9. M/S/P Peterson, Kangas – 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