

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
January 17, 2012**

- 1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, January 17, 2012, 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
Josh Stevenson	Land Commissioner	Tom Burch	Cass County Sheriff
Reno Wells	HHVS Director	Michel Piprude	Social Services Manager
Kathy Ramos	VSO Officer	Dave Enblom	Highway Engineer
Gail Leverson	Cass County EDC	Dave Holk	Cass County EDC
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

- 1B. M/S/P Kangas, Dowson - To approve the agenda items for discussion as presented and the addition of Item 5C. (Approve out of state travel - Lt. Scott Thompson to participate in a panel discussion at the National Task Force regarding children's exposure to violence in rural and tribal communities on January 31, 2012 in Albuquerque, New Mexico at no cost to Cass County), Item 7E. (Approve Resolution No. 03-12 & authorize execution of MNDOT Agreement #00243 – Installation of new traffic signals at intersection of CSAH 14 and TH#371 in Pine River), and Item 7F. (Approve Resolution No. 04-12 supporting replacement of bridge #7171 on CSAH #1 with funding through MNDOT). Unanimous.
- 2A. County Administrator Robert Yochum presented to the Board the following matters:

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

Approve - Board Minutes of January 3, 2012.

Approve - Auditor manual warrants Batch #1 dated December, 2011 in the amount of \$5,486,886.43.

Approve - Auditor manual warrants Batch #2 dated December, 2011 in the amount of \$297,618.16.

Approve - Auditor manual warrants Batch #3 dated December, 2011 in the amount of \$7,561.04.

Approve - HHVS Auditor warrants dated December 30, 2011 in the amount of \$3,788.00.

Approve - HHVS Auditor warrants dated December 30, 2011 in the amount of \$57,074.34.

Approve - HHVS Commissioners warrants dated December 30, 2011 in the amount of \$29,019.26.

Approve - Auditor warrants dated January 5, 2012 in the amount of \$78,611.30.

Approve - HHVS Auditor warrants dated January 6, 2012 in the amount of \$52,917.52.

Approve - HHVS Commissioners warrants dated January 6, 2012 in the amount of \$26,699.46.

Receive & file - Monthly Budget Reports.

Approve Personnel Actions - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of resignation of Beth Krueger, Eligibility Worker, grade 20, step 10, effective March 16, 2012, 2. Receive & File - Notice of intent to fill the budgeted Eligibility Worker position vacated by Beth Krueger, grade 20. B. Positions scheduled for no replacement at this time: None. C. Other: 1. Receive & file - Notice of probation completion for Melissa Stearns, County Agency Social Worker, grade 28, step 1, on January 05, 2012.

Receive & file - Auditor -Treasurer's Interest Income report for December 2011.

Approve - Pay requests for Cass County ARMER Project to Midstates Wireless (radio install) \$2,817.25; Bay Carpet & Tile (dispatch remodel) \$390.25; Walker Ace (dispatch remodel) \$641.23; American Eagle Security System (generator maintenance) \$657.28; Motorola Solutions, Inc. (ARMER equipment) \$1,774,341.84; DSC Communications (dispatch remodel) \$21,344.43; Jerry Tatro (ARMER project installs) \$4,301.00.

Approve - MOU for VHR Interoperable Frequency Use Agreement with the State of Minnesota - ARMER projects.

Authorize - 4<sup>th</sup> quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

Approve - Appointment of James Ballenthin to the Planning Commission (SWCD representative), term ending 12/31/12.

Approve - Cass County Family Center quarterly progress reports and payment of quarterly expense claims totaling \$25,382.44 from all five family centers.

Approve - Group Residential Housing Agreement - Preston and Marie Peters, Amarilla House in Pine River.  
Approve - Purchase of Service Agreement - Cass County Health, Human and Veterans Services and John Parkin, M.D.  
Approve - Medical Consultant Services Contract between Cass County and Burton Haugen, M.D.  
Approve - Home and Community Based Services Contract for 2012-2014 - Minnesota State Operated Services (MNSOCS).  
Approve - Memorandum of Agreement - St. Joseph's Area Health Services Physical and Occupational Therapy Services.  
Authorize - Financial contribution for FY2012 to the Mississippi Headwaters Board in the amount of \$1,500.00.  
Receive & file - 4<sup>th</sup> quarter Assessor foreclosure and sales report.  
Receive & file - Pine River Sanitary District annual summary of 2011.

- 2B. County Administrator Robert Yochum presented a request from the Association of Minnesota Counties for 2012 Policy Committee appointments from Cass County. Mr. Yochum reported that each County can appoint one commissioner or county official to each of five policy committees, and no policy committee member can be on more than one policy committee.

M/S/P Downham, Kangas – To approve the following Cass County delegates to the AMC Policy Committee's: Environment & Natural Resources Policy Committee – Dick Downham; General Government Policy Committee – Bob Kangas; Health & Human Services Policy Committee – Neal Gaalswyk; Public Safety Policy Committee – Jim Dowson; and Transportation Policy Committee – David Enblom, and further to approve the AMC 2012 voting delegate appointments of all Cass County Board Members, County Administrator Robert Yochum, Auditor-Treasurer Sharon K. Anderson, and Highway Engineer David Enblom. Unanimous.

- 2C. Mr. Yochum submitted a request for final payment to the City of East Gull Lake in the amount of \$173,058.81 for the Fund 73 share of a paved trail system. Administrator Yochum also reviewed the Conservation Fund 73 budget report dated December 31, 2011 indicating activity to date of: interest revenue of \$1,685,027.19, expenses of \$951,190.06, committed costs of \$381,641.40, and uncommitted balance of \$352,195.73.

M/S/P Gaalswyk, Dowson – To receive and file the Conservation Fund 73 project budget summary dated December 31, 2011 as presented, and further approve Conservation Fund 73 final payment to the City of East Gull Lake in the amount of \$173,058.81 for a paved trail system. Unanimous.

- 3A. Cass County Economic Development Director Gail Levenson presented the Cass County EDC Activity Report. Ms. Levenson reported that December activities included eighty three requests for assistance. Services provided included: new project start up assistance, site research, assistance with public subsidy and financing programs, existing business financial advice, financing for equipment/job expansions and research to enhance the Economic Development Corporation's capacity. No action necessary

- 3B. Ms. Levenson updated the Board on the Business Subsidy workgroup consisting of EDC and Cass County board members that have been meeting since October 2011. Ms. Levenson added the Business Subsidy workgroup goals are to provide education and background on policy development by discussion with business and government representatives and development of criteria that could possibly be used in a final policy.

M/S/P Downham, Dowson – To refer the Cass County EDC Business Subsidy workgroup report to the Cass County Citizen Budget Committee, the Cass County Planning Commission and the Cass County Association of Townships for discussion at the January 24, 2012 County Board work session. Unanimous.

- 4A. Land Commissioner Josh Stevenson requested Board approval to partner with State of MN DNR to expand the Big Rice Hunter Walking trail system located in Section 25, Twp. 141 Range 26 (Remer Township) and Section 30, Twp. 141, Range 25 Lima Township.

M/S/P Dowson, Downham – To approve partnership with State of MN DNR that would expand the Big Rice Hunter Walking trail system located in Section 25, Twp. 141 Range 26 (Remer Township) and Section 30, Twp. 141, Range 25 Lima Township. Unanimous.

- 4B. Mr. Stevenson explained the status of land purchases through the Lessard/Sams Outdoor Heritage Council Grant of 2011. A parcel in Deerfield Township is recommended for no further consideration due to the seller not accepting the appraised value. A parcel in Homebrook Township is recommended for consideration due to the seller accepting the appraised value and Homebrook Township approving the purchase. Mr. Stevenson added that he expects to close on these properties within the next three months, that the project is under budget, and within the time frame defined in the grant.

M/S/P Kangas, Gaalswyk – To authorize the Land Department to complete the land purchases under the 2011 Lessard/Sams Outdoor Heritage Council Grant agreement as amended. Unanimous.

- 5A. Sheriff Tom Burch reported to the Board that a permit has been issued by the Sheriffs Office to Jared Olson (new ownership) for the 2012 International Eel Pout Festival scheduled for February 16-19, 2012. No action necessary.
- 5B. Sheriff Burch explained the option of billing inmates for jail health costs pursuant to MN Statutes 641.15 (County's are entitled to reimbursement from the prisoner for payment of medical bills to the extent that the prisoner to whom the medical aid was provided has the ability to pay the bills and the prisoner shall, at a minimum, incur co-payment obligations for health care services provided by a county correctional facility). Mr. Burch discussed the offer from Crow Wing County to apply their related policy to Cass County inmates held at Crow Wing County under the jail contract - inmates may be assessed fees for prescription and non-prescription medications. In addition, fee collection would be provided through Crow Wing County's contracted service. Sheriff Burch stated that if a policy was adopted it would apply to all Cass inmates whether held at Crow Wing or Cass facilities.

M/S/P Downham, Gaalswyk – To endorse the concept of jail health fees for Cass County inmates held at the Cass County Jail or Crow Wing County Jail, and request the Sheriff to report back regarding the same. Unanimous.

- 5C. Sheriff Burch requested Board approval for out of state travel for Lt. Scott Thompson to participate in a panel discussion at the National Task Force regarding children's exposure to violence in rural and tribal communities on January 31, 2012 in Albuquerque, New Mexico at no cost to Cass County.

M/S/P Dowson, Gaalswyk – To approve out of state travel for Lt. Scott Thompson to participate in a panel discussion at the National Task Force regarding children's exposure to violence in rural and tribal communities on January 31, 2012 in Albuquerque, New Mexico at no cost to Cass County. Unanimous.

- 6A. HHVS Director Reno Wells, and Social Services Manager Michele Piprude presented an overview of Social Service intakes for calendar year 2011 totaling 1,515 (compared to 1,307 in 2010). Although a decrease in child social service intakes (due in part to the Leech Lake Band of Ojibwe serving more children), the vulnerable adult intakes, and better reporting are the primary factors in increased activity. No action necessary.
- 6B. Veterans Service Officer Kathleen Ramos introduced Veterans Service Benefit Specialist Daniel McMahon to the Board. The Board welcomed Mr. McMahon to Cass County Health, Human, and Veteran Services. No action necessary.
- 7A. Highway Engineer Dave Enblom reviewed the draft proposed Memorandum of Understanding with MPCA regarding stormwater management on County construction projects pursuant to MN Statute Chapter 174 and Federal Law (TEA 21). Mr. Enblom added that the MOU attempts to describe the commitment of the MPCA and the County to improve the permitting process, to promote a common interpretation of the rules and to coordinate on-site inspections. The Board suggested a progress report to Cass County's State legislative delegation at the March 2012 Association of MN Counties meeting.

M/S/P Downham, Gaalswyk – To approve the draft MOU as presented between Cass County and the MPCA regarding stormwater management on County construction projects. Unanimous.

- 7B. Mr. Enblom discussed moving approximately 0.75 miles of State Aid designation from CSAH #37 to former State Highway # 290 (Ah-Gwah-Ching access) to facilitate the State turnback funding process for a future potential route connecting State Highway #371 with State Highway #34 (via Co.Rd.#50). Engineer Enblom added that CSAH #37 is also Hubbard County CSAH #26, therefore Hubbard County would need to act as well.

M/S/P Dowson, Kangas – To approve moving approximately 0.75 miles of State Aid designation from CSAH #37 to former State Highway # 290 (Ah-Gwah-Ching access) to facilitate the State turnback funding process for a future potential route connecting State Highway #371 with State Highway #34 (via Co.Rd.#50). Unanimous.

- 7C. Mr. Enblom requested Board approval to update the present of Highway Department's policy on roadway signage and striping maintenance to conform to new Federal sign rules.

M/S/P Gaalswyk, Kangas – To approve the Cass County Highway Department Policies and Maintenance Procedures for Roadway Signage and Striping as presented . Unanimous.

- 7D. County Engineer Enblom reported a request from the City of Longville's to allow ATV use on CSAH 5 and CSAH 7 within the City limits of Longville. Mr. Enblom also presented the City of Longville ATV Ordinance adopted by the Longville City Council that references the use of ATV's on city streets. Administrator Yochum reported that absent a specific agreement with the Sheriffs Office the requested roadway designation would not result in a County duty to enforce the City Ordinance.

Commissioner Dowson offered Resolution No. 05-12 and moved its adoption, Commissioner Downham seconded:

Resolution Authorizing Operation of Special Vehicles on Certain County Roadways

Whereas, Minnesota Statute 169.045 states in part that a governing body may by ordinance authorize the operation of motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks on designated roadways or portions thereof under its jurisdiction, and

Whereas, the City of Longville has adopted an ordinance regulating operation of said vehicles on roadways under their jurisdiction, and

Whereas, Cass County is the local road authority for numerous County, County State Aid Highway (CSAH), and Unorganized Township roads within its borders, and

Whereas, the City of Longville has requested Cass County to approve operation of said vehicles on roadways under County jurisdiction, more specifically CSAH 5 and CSAH 7, which partially lie within the City of Longville's borders.

NOW THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners, State of Minnesota

1. That motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks as defined by Minnesota Statute 169.045 are authorized to operate on the County designated roadways of CSAH 5 and CSAH 7 located within the boundary of the City of Longville.
2. That such authorization is limited to operation in accordance with the City of Longville Ordinance and other applicable State law as may be amended.
3. That at any such time that the City repeals its Ordinance the authorization provided by this resolution is also repealed.
4. That the City of Longville shall be solely responsible for enforcing its Ordinance.

Resolution No. 05-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 7E. Mr. Enblom requested Board approval and execution of MNDOT Agreement #00243 for installation of new traffic signals at the intersection of TH #371(Front Street) at TH #48 (Barclay Avenue) and CSAH #14 (Barclay Avenue) in Pine River.

Commissioner Kangas offered Resolution No. 03-12 and moved its adoption, Commissioner Gaalswyk seconded:

IT IS RESOLVED that Cass County enter into Mn/DOT Agreement No. 00243 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for maintenance and payment by the County to the State of the County's share of the costs of the Traffic Control Signal construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 371 (Front Street) at Trunk Highway No. 84 (Barclay Avenue) County State Aid Highway No. 14 (Barclay Avenue) within the corporate City limits of the City of Pine River under State Project No. 1116-26 (T.H. 371=019).

IT IS FURTHER RESOLVED that David Enblom the County Engineer and Robert Yochum the County Administrator are authorized to execute the Agreement and any amendments to the Agreement.

Resolution No. 03-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

7F. Mr. Enblom presented Resolution No. 04-12 that supports project funding through MNDOT on CSAH #1 utilizing Routes of Regional Significance bond funds. The project would replace posted bridge 7171 as well as reconstruct one mile of CSAH #1 (coordinated with the work would be done in conjunction with a larger three miles #CSAH 1 project.

Commissioner Kangas offered Resolution No. 04-12 and moved its adoption, Commissioner Gaalswyk seconded:

Whereas, County State Aid Highway (CSAH) 1, traverses the backbone of southern Cass County connecting the cities of Pine River and Pillager, and

Whereas, CSAH 1 also serves as a farm to market route for agriculture as well as timber products, and

Whereas, CSAH 1 is designated as part of Cass Counties 10- ton system and serves the area by providing access to the regions lakes and tourist industries, and

Whereas, CSAH 1 provides capacity and congestion relief to Trunk Highway 371, which is a MNDOT Inter Regional Corridor, between Brainerd and Pine River, and

Whereas, among others there is a deficiency with Bridge 7171, in that it is currently posted to restrict timber haulers and the adjacent roadway has inadequate shoulder width.

Now, Therefore, Let It Be Resolved that the Cass County Board of Commissioners supports funding for a project through the Routes of Regional Significance Account, to eliminate a deficiency caused by the current posting of Bridge 7171, and to improve the safety of CSAH 1 by providing standard shoulder width for the adjacent road surface.

Resolution No. 04-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

8A. Administrator Yochum discussed the upcoming meeting schedule: Friday, February 3, 2012 SWCD Liaison Committee Meeting, Board Room, 1<sup>st</sup> Floor Annex, Courthouse, Walker, MN; Leech Lake Band of Ojibwe and County Board of Commissioners Joint Meeting (date pending).

M/S/P Downham, Kangas – To approve the Board of Commissioners attendance at the AMC Joint Legislative Conference, March 21-22, 2012, Crowne Plaza, St. Paul, MN. Unanimous.

9. Chairman Peterson adjourned the meeting at 10:55 a.m.

SIGNED: \_\_\_\_\_  
Jeff Peterson, Chairman  
Cass County Board of Commissioners

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