

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
February 7, 2012**

- 1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, February 7, 2012, with the flag pledge, in the Board Room of the Courthouse, Walker, 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
John Smith	9th Judicial District Judge	Jim Schneider	Probation Director
Reno Wells	HHVS Director	Linda Nye	Collections Supvr.I
Jamie Richter	Director Public Health	Tom Burch	Sheriff
Melanie Wolfe	HHVS Business Manager	Josh Stevenson	Land Commissioner
Sharon Anderson	Auditor-Treasurer	Mary Gilmer	Self
John Ringle	ESD Director	Gail Levenson	Cass County EDC
Mark Peterson	Assessor	Paul Fairbanks	ESD County Planner
Alan Olson	Cass Lake Times	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent		

- 1B. M/S/P Gaalswyk, Kangas – To approve the agenda items for discussion as presented. Unanimous.

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

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

Approve - Board Minutes of January 17, 2012 (correction noted).

Approve - Auditor warrants dated January 12, 2012 in the amount of \$876,485.26.

Approve - Auditor warrants dated January 19, 2012 in the amount of \$2,164,188.80.

Approve - Auditor warrants dated January 26, 2012 in the amount of \$501,964.98.

Approve - HHVS Auditor warrants dated January 20, 2012 in the amount of \$98,976.83.

Approve - HHVS Commissioner warrants dated January 20, 2012 in the amount of \$138,171.56.

Approve - HHVS Commissioners warrants dated January 26, 2012 in the amount of \$1,697.87.

Approve Personnel Items - A. Budgeted positions scheduled for replacement - 1. Receive & file Notice of schedule change for County Attorney's Office Paralegal - Gina Burch from .6 FTE to .8 FTE. 2. Receive & file Notice of schedule change for County Attorney's Office Paralegal – Heidi Krueger-Smith from .7 FTE to .8 FTE. 3. Receive & file Notice of appointment of Luke Rasmus as part-time cross-trained position of Dispatch/Jail and Deputy Sheriff, grade 21/27 effective February 6, 2012. 4. Approve - appointment of Kevin Dahlman to the position of Resource Manager at Grade 28 Step 2 with a start date of February 8, 2012. B. Positions scheduled for no replacement at this time: 1. Receive & file the notice of probation completion for Jeffrey Deihl, Collections Officer, grade 20, step 1, on February 01, 2012. 2. Receive & file the notice of probation completion for Kim Johnson, Lead Eligibility Worker, grade 22, step 9, on February 06, 2012. 3. Receive & file the notice of probation completion for Jennifer Johnson, Eligibility Worker, grade 20, step 1, on February 06, 2012. C. Other: 1. Authorize - HHVS Director to extend current leave without pay to Janna Wolter, Grade 32, Public Health Nurse, effective retroactive from January 18, 2012 for a period not to exceed 90-days (actual length of leave to be determined by the HHVS Director after additional documentation and assessment of agency work load).

Approve Licenses – Gambling - Northstar Sportsmen's Club@ Moondance - John Eaton, Turtle Lake. Off Sale Intoxicating Liquor - Bulrush Bait & Bottle Shop – Westwind Marketing, LLC, Wilson. On & Off Sale 3.2 Beer - Starck's Tamarack Lodge - Jeffrey Starck, Unorganized.

Authorize - Financial contribution for FY2012 – Cass County Agricultural Association (Pine River), County Ag Society (Pillager) in the amount of \$2,500.00, remaining 50% paid after July 1, 2012.

Authorize - Financial contribution for FY2012 – Cass County Economic Development Corporation in the amount of \$37,500.00.

Receive & file - Sentence to Serve quarterly report from October 1, 2011 through December 31, 2011.

Receive & file - Correspondence of gratitude from Pike Bay Police Department regarding the 800Mhz ARMER Project.

Accept - Donation in the amount of \$1,000.00 from the Eddy Family Foundation to be used for Sheriff's Office Recreational Division.

Accept - Donation in the amount of \$10.00 from Marjorie M. Frank to be used for Sheriff's Office safety equipment for Boat & Water Program.

Approve - Medical Contract Agreement with Dr. M.B. McGee from January 3, 2012 through December 31, 2012.

Approve - Hosting the Regional CPS Software Training for Motorola ARMER Radio Programming (costs reimbursed by Regional Radio Board).

Approve - Pay requests for Cass County ARMER Project to: MidStates Wireless radio install \$4,364.81; Richard Glenn Construction Inc. dispatch remodel \$3,685.00; DSC Communications quarter fire repeater at Remer \$816.85; Jerry Tatros radio install \$2,114.00; Bay Carpet & Tile dispatch remodel \$390.25; Olson Electric ARMER System \$17,252.06; DSC Communications ARMER System \$587.81; Moore Custom Cabinets dispatch Remodel \$1,100.00; Gas Service Pillager Tower \$84.23; Kent Reeve Locksmithing dispatch remodel \$260.49.

Receive & file - Cass County Recorder's Office summary of annual fees collected from 2002 through 2011.

Approve - Cities of Deer River, Remer and Walker fire contract for Unorganized Township - January 1, 2012 through December 31, 2012.

Authorize - Payment of Town Road apportionment to Townships in the 2012 amount of \$429,952.00.

Receive & file Timber auction results of January 26, 2012 totaling 11,243 cords plus 45.76 mbf saw timber totaling \$207,797.79.

Approve - Contract with RMBEL for \$22,000 to complete 21 Lake Protection Strategy Tool Reports and County summary for the Cass County Water Plan update.

Approve - Memorandum of Agreement between Cass County HHVS and Peggy Dolney - Interpreter services.

Approve - HHVS Purchase of Services Agreement between Pine River/Backus Area Family Council - CTC outreach.

Approve - HHVS Group Residential Housing Agreement between Daniel Miller and Cindy L Johnson.

Approve - HHVS Home and Community Based Services Contract for 2012-2014 - Good Neighbor Home Health; Tender Care Nursing/Home Care; Deer River Healthcare Center; Scenic Foster Care, LLC; Covenant Independent Living Services, Inc.; Hummer's Hilltop Home; Riverside Assisted Living, Pillager; Faith in Action for Cass County; Johnson's Long Lake Home, Inc.; Country Lane Homes.

Receive and file - Memorandum of Understanding between Isanti Public Health and Cass County HHVS - volunteer registry.

Approve - HHVS Purchase of Service Agreement between and Northern Pines Mental Health Center - in home services.

Approve - HHVS Purchase of Services Agreement between Pillager Area Family Council - CTC outreach

Authorize - Land Commissioner to offer winter timber permit extensions to all Cass County permits that expire between 2/25/2012 and 3/31/2012 conditioned upon: 1. Permit holders will be required to pay the existing extension fee, 2. Cass County will not require the balance due on the sale to be paid in full before an extension can be purchased for qualified sales, and 3. All sales that qualify for a winter extension require payment in full before any cutting begins.

Approve - updates to the Pine River Area Sanitary District (PRASD) by-laws:

Article III. - Membership The addition of: "When a vacancy occurs due to death, incapacity to serve, removal or resignation, the governing body of the governmental unit of the District shall recommend a person, to fill the unexpired term, to the County Board for final approval consistent with Minnesota Statute 116A.24."

Article VII. - Meetings (f) - The addition of: "As authorized by the Cass County Board of Commissioners, each member shall be paid \$130 per month and mileage reimbursement at the rate authorized by Federal law. The chair shall be paid \$140 per month and mileage reimbursement at the rate authorized by Federal law. All members shall be paid \$75 per special meeting attended. Additionally, members shall be paid \$20 for each week of on-call duty."

Approve - appointment of Marvin Ryan (Barclay Township representative) to the PRASD Board with a term expiring December 31, 2015.

Receive and file - Cash Account Balance Comparison and Child Service Costs through year end 2011.

Receive and file - Cass County Health, Human and Veterans Services 2012 department goals and vision (approved by the Advisory Committee on January 23, 2012).

Approve - Submission of Hazard Mitigation Assistance Planning Grant in the amount of \$26,000.00.

Commissioner Kangas offered Resolution No. 06-12 and moved its adoption, Commissioner Dowson seconded:

RESOLUTION AUTHORIZING PARTICIPATION IN PLANNING PROCESS
AND EXECUTION OF SUB-GRANT AGREEMENT

WHEREAS, the County of Cass is participating in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional hazard mitigation plan, and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and business, and

WHEREAS, the plan must include a risk assessment including past hazards, hazards that threaten the county, maps of hazards, an estimate of structures at risk, estimate of potential dollar losses for each hazard, a general description of land uses and future development trends, and

WHEREAS, the plan must include a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs, and

WHEREAS, the plan must include a maintenance or implementation process including plan updates, integration of plan into other planning documents and how the county will maintain public participation and coordination, and

WHEREAS, the draft plan will be shared with the State of Minnesota and the Federal Emergency Management Agency (FEMA) for coordination of state and federal review and comment on the draft, and

WHEREAS, approval of the all hazard mitigation plan will make the county eligible to receive Hazard Mitigation Assistance grants as they become available.

NOW THEREFORE, Be it resolved that Cass County will enter into a sub-grant agreement with the Division of Homeland Security and Emergency Management in the Minnesota Department of Public Safety for the program entitled Hazard Mitigation Assistance (HMA) for the development or update of the Cass County Hazard Mitigation plan. Be it further resolved that Emergency Management Director Kerry Swenson or Sheriff Tom Burch are hereby authorized to execute and sign such sub-grant agreements and any amendments hereto as are necessary to implement the plan on behalf of Cass County.

Resolution No. 06-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Receive and file – Notice from Recorder Katie Norby of the purchase of a book scanner – utilizing the Recorder's Office Technology Fund not to exceed \$48,000.00.

Approve - Assessor's Office Abatements. Gary Watschke parcel # 46-365-0158 in Wabedo Twp Value Reductions - From \$160,600 to \$73,700 for 2009/2010 (tax amount -\$504.00); From \$160,600 to \$73,700 for 2010/2011 (tax amount - 532.00); From \$160,600 to \$74,200 for 2011/2012 pending (2012 abatement to occur after current year taxes are calculated).

- 2B. County Administrator Yochum discussed potential Board action from the work session held on Tuesday, January 24, 2012 with the Citizen Budget Committee. Mr. Yochum presented draft meeting minutes, a draft public hearing notice regarding updating the Capital Improvement Plan, and options related to the Cass County business policy (To refer the existing County policy "no additional business subsidies at this time" to the Planning Commission, Cass County Association of Townships, and Leech Lake Band, for comment, or to reaffirm present policy, or to table any changes at this time, or to amend the policy "No additional business subsidies at this time unless requested by a local unit of government for application to their jurisdiction").

M/S/P Downham, Gaalswyk – To approve the Tuesday, January 24, 2012 planning meeting minutes as presented. Unanimous.

M/S/P Kangas, Dowson – To approve establishing a public hearing on Tuesday, March 6, 2012 during the regular Board meeting beginning at 9:00 a.m. in the Commissioner's Board Room, Cass County Courthouse, Walker, Minnesota inviting public comment regarding the proposed Cass County 2013-2017 Capital Improvement Plan drafted pursuant to Minnesota Statutes 373.40, and that the plan is available for public review during normal business hours at the offices of the Cass County Administrator and Auditor-Treasurer, Courthouse, 303 Minnesota Ave., Walker, Minnesota, or on the Cass County website at www.co.cass.mn.us . Unanimous.

M/S/P Gaalswyk, Kangas – To amend the Cass County business subsidy policy: "No additional business subsidies at this time unless requested by a local unit of government for application to their jurisdiction". Unanimous.

- 3A. Honorable 9th Judicial District Judge John Smith and Probation Director Jim Schneider discussed the Cass County – Leech Lake Band of Ojibwe Joint Powers Agreement to provide Wellness Court.. The agreement began on October 1, 2010, expires on September 30, 2013 and provides commitments including \$30,000.00 per year from the Leech Lake Band of Ojibwe to the County for assistance in operating the program. The 18 to 24 month program for chemically dependent non-violent offenders has had 57 participants, and 24 graduates (of which only one re-offended). Judge Smith emphasized the excellent cooperation with the Leech Lake Tribal Court, Probation, Attorneys, and Law Enforcement. The establishment of a

Veterans Court may be considered in the future. The Board thanked Judge Smith and Director Schneider for the update. No action necessary.

- 4A. Public Health Manager Jamie Richter updated the Board on the Cass County medication disposal program - "Take it to the Box". The first site was established in the Cass County Sheriff's Department on November 1, 2011, with a total of 24.72 pounds collected of unneeded medications to date. Ms. Richter added the outreach efforts to sites throughout Cass County with City law enforcements agencies. The Sheriff's Office has offered to promote the program at various Town Hall meetings and look at the feasibility to add the service as part of the hazardous waste collection program conducted each summer throughout the County. Goals in 2012 include outreach to pharmacies, clinics and four new additional community sites. No action necessary.
- 4B. Collections Supervisor Linda Nye presented an overview of IV-D collections for calendar year 2011 totaling \$2,815,526.63 compared to 2010 collections of \$2,711,547.36. The IVD Program manages 1,800 cases with seven staff. Collections are primarily court ordered child support, as well as court ordered medical and child care reimbursements. Ms. Nye reported that the Leech Lake Band of Ojibwe has started their own program and thirty seven participants have applied for and have been accepted. No action necessary.
- 4C. HHVS Director Reno Wells, Public Health Manager Jamie Richter, and HHVS Business Manager Melanie Wolfe presented an update to the HHVS staffing plan and reported overall minimal impact to the adopted budget. The first request was to upgrade an existing office support specialist position.

M/S/P Dowson, Gaalswyk – To authorize grade rating evaluation submission to Public Employment HR Consulting (PEHRC) for a new position of Senior Office Support Specialist, and further, to receive & file the notice of intent to fill the new position from existing staff without an increase in full time equivalents. Unanimous.

Director Wells and Ms. Richter discussed the historically contracted positions of Outreach Worker, Home Health Aide, and Licensed Practical Nurse. Related recommended grade ratings and titles from PEHRC were presented. The actual placement of personnel would occur at a later date and after reporting back to the Board regarding Union contract provisions for roster employees. No change in full time equivalents is contemplated at this time. This staffing concept was presented to the HHVS Advisory Committee on January 23, 2012.

M/S/P Dowson, Gaalswyk – To authorize the new position title of Outreach Worker at grade 14; the new position title of Home Health Aide (Roster) at grade 13; and the new position title of Licensed Practical Nurse (Roster) at grade 17 all in Cass County Health, Human and Veterans Services as rated by Public Employment HR Consulting (PEHRC). Unanimous.

Public Health Manager Richter discussed the budgeted vacancy of two PHN positions at a grade 32. Ms. Richter explained that HHVS Team Leaders assigned to social service programs have been effective and would like to consider converting two budgeted PHN vacancies to Team Leaders. The new position would be rated as Team Leader (exempt – salaried) to provide an option to the existing Team Leader (non exempt - hourly) position depending on the needs of the assignment. Overall budget impact minimal and will not cause any agency budget overages. This staffing concept was presented to the HHVS Advisory Committee on January 23, 2012.

M/S/P Dowson, Gaalswyk – To authorize grade rating evaluation submission to Public Employment HR Consulting (PEHRC) for a new position of Team Leader (Exempt), and further to receive & file notice of intent to fill two (2) PHN budgeted vacancies with Team Leader (Exempt) appointments after the grade is determined. Unanimous.

- 5A. ESD Director John Ringle and County Planner Paul Fairbanks presented the 2011 Annual Planning and Zoning activity report. The overall activity was down slightly in FY2011 compared to FY2010 with 1018 permits and zoning actions in FY2011 versus 1090 permits and zoning actions in FY2010. Permit revenues reported were \$284,620 in FY2010 and \$282,932 in FY2011. Permit and zoning activity may have stabilized at the 2011 level. No action necessary.

Solid Waste Administrator Paul Fairbanks provided a report on municipal solid waste (MSW) and recycling for the year 2011. Cass County managed volumes of: MSW 12,030 tons, recycling 4,981 tons, electronics 82 tons and household hazardous waste 21 tons. Mr. Fairbanks added that the 2011 MSW volume is 20% percent less than in 2010. No action necessary.

- 5B. Mr. Ringle and County Planner Paul Fairbanks presented land reclassifications that were approved in 2011 by the Planning Commission and explained that Cass County Land Use Ordinance specifies that all requests for land reclassifications must

receive final approval from the Cass County Board of Commissioners after they have been approved by the Cass County Planning Commission.

M/S/P Dowson, Kangas – To approve as presented the land reclassifications previously approved by the Cass County Planning Commission in 2011. Unanimous.

<u>Name</u>	<u>Permit #</u>	<u>Township</u>	<u>Proposed Use</u>
Brian Stadick	CU11-139-28-1	Blind Lake	Agricultural/Forestry (AF) to Rural Residential - 20 (RR-20)
Martha Chateleine	CU11-143-27-1	Boy River	Reclass 27.5 acres to RR 20
James Donovan	CU11-134-31-1	May	Reclass fro AG/FOR to RR10
Grant Oppegaard	CU11-142-31-1	Shingobee	Reclass from Shoreland Residential to Water Oriented Commercial
Grant Oppegaard	CU11-142-31-3	Shingobee	Reclass from Shoreland Residential to Water Oriented Commercial
Severin Neumann	CU11-137-30-1	Walden	Reclassify from AG/FOR to RR-5

- 6A. Chief Financial Officer Larry Wolfe presented notification from the Minnesota Department of Administration regarding intentions to sell approximately 55.8 acres of vacant land at the former Ah-Gwah-Ching Regional Treatment Center property, located west of State Highway #371 and north of 73rd Street NW, Walker, MN. Per MN Statute the property is first offered to local units of government (County, City, and Township) at a minimum sales price established by the State (\$200,000.00).

M/S/P Kangas, Downham - To respectfully decline the offer from Minnesota Department of Administration to purchase approximately 55.8 acres of vacant land at the former Ah-Gwah-Ching Regional Treatment Center property, located west of State Highway #371 and north of 73rd Street NW, Walker, MN at a purchase price of \$200,000.00. Unanimous.

- 6B. Mr. Wolfe discussed the potential re-use by public entities of three liquid propane storage tanks (18,000 gallons each) located at the former Ah-Gwah-Ching site. CFO Wolfe reported initial interest from the Leech Lake Band of Ojibwe, Cass County Highway Department, I.S.D. #113 (Walker-Hackensack-Akeley), and Cass County Central Services for use at the Courthouse campus. If authorized by the Board next steps would include financial feasibility, and State approval due to State bonding covenants and former State grant conditions.

M/S/P Dowson, Downham – To authorize a financial feasibility study for re-use by public entities of liquid propane storage tanks presently located at the former Ah-Gwah-Ching site and preliminary determination of related State approvals. Unanimous.

- 7A. Auditor-Treasurer Sharon Anderson acknowledged the Public Hearing Notice for the consideration of an Off-Sale Intoxicating Liquor to Bulrush Bait and Bottle Shop, Westwind Marketing LLC., Wilson Township, located at 3037 16th Avenue SW, Pine River, MN 56474. PID#50-008-4105. No written comments were received as a result of the hearing notice and no one appeared before the Board to comment.

M/S/P Kangas, Gaalswyk - To approve the Off-Sale Intoxicating Liquor License application of Bulrush Bait and Bottle Shop, Westwind Marketing LLC., Wilson Township, located at 3037 16th Avenue SW, Pine River, MN 56474. PID#50-008-4105, contingent upon receipt of all required documents. Unanimous.

- 7B. Auditor-Treasurer Anderson updated the Board on the statutory redistricting timeline. Ms. Anderson added that a legislative redistricting plan is scheduled for release by the special panel of the Minnesota Supreme Court on or about February 24th, but that it will have no municipal redistricting impact on Cass County. The Auditor-Treasurer requested the Board to establish a public hearing date on Tuesday, March 6, 2012 for consideration and adoption of the proposed Cass County redistricting plan.

M/S/P Downham, Kangas – To establish a public hearing on Tuesday, March 6, 2012 at the regular meeting beginning at 9:00 a.m. in the Board Room, 1st Floor, Cass County Courthouse Annex, Walker, Minnesota, for the purpose of considering and adopting the proposed plan for the redistricting of Cass County Commissioners districts. The proposed plan is available on the Cass County website at www.co.cass.mn.us, or upon request at the offices of the Cass County Administrator and Auditor-Treasurer, Courthouse, 303 Minnesota Ave., Walker, Minnesota, during normal business hours. Unanimous.

7C. Ms. Anderson updated the Board on the final MCIS building project reporting an unused budget amount of \$33,626.01. Ms. Anderson added that the MCIS Board approved moving the unused budget amount of \$33,626.01 into the MCIS building and structure reserve account. Cass County's portion of the credit is \$2,722.50. Transferring the remaining construction project funds for future maintenance and repair would bring that fund balance to approximately \$40,000.00.

M/S/P Dowson, Kangas – To receive and file the MCIS building project report and approve the use of Cass County unused budget share in the amount of \$2,722.50 to be set aside for future maintenance and repairs of the newly constructed MCIS building located in Grand Rapids, MN. Unanimous.

8. Administrator Yochum discussed the upcoming meeting schedule.

8A. M/S/P Dowson, Downham – To establish the 2012 County Board of Equalization meeting for Monday, June 11, 2012, beginning 2:00 p.m., Commissioners Board Room, Courthouse, Walker, MN. Unanimous.

8B. M/S/P Dowson, Downham - To establish the 2012 summer schedule for a portion of the regular meetings of the Cass County Board of Commissioners: Commissioner District #4 - May 15, 2012 Northland Area Family Center, 320 Eagle Ave. NE, Remer, MN; Commissioner District #5 - June 19, 2012 Cass Lake City Hall, 330 2nd Street NW, Cass Lake, MN; Commissioner District #1 - July 17, 2012 Fairview Township, 10219 Co. Rd. #77 SW, Brainerd, MN; Commissioner District #2 - August 21, 2012 Becker Township, 11066 Co. #32 SW, Motley, MN; Commissioner District #3 - September 18, 2012 Powers Township, 850 East Horseshoe Dr. NW, Backus, MN and further that all the referenced Board Meetings are to begin at 6:00 p.m. Unanimous.

8C. M/S/P Dowson, Downham – To approve attendance at the Mississippi Headwaters Board Meeting on Friday, March 30, 2012, beginning at 10:00 a.m., at the Northern Lights Convention Center, Walker, MN. Unanimous.

8D. M/S/P Dowson, Downham – To approve moving the Tuesday, April 3, 2012 Commissioners Regular Board Meeting to Wednesday, April 4, 2012, beginning at 9:00 a.m., Commissioners Board Room, Courthouse, Walker, MN. Unanimous.

9. Chairman Peterson adjourned the meeting at 10:37 a.m.

10. Sheriff Burch invited the Board to a facility tour of the Cass County Dispatch Center.

SIGNED: _____
Jeff Peterson, Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator