

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
March 6, 2012**

- 1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, March 6, 2012, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Downham, Dowson, Gaalswyk, and Peterson. Commissioners absent: Kangas.

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	Renee Lukkason	Family Health Supvr.
Tom Burch	Sheriff	Joel Norenberg	Lieutenant
Sharon Anderson	Auditor-Treasurer	Dave Enblom	Highway Engineer
Laura Hadrava	Highway Dept.	Merilee Payne	HHVS
Rachel Raveling	HHVS	Marlee Morrison	HHVS
Jennifer Jackson	HHVS	Mary Bull	HHVS
Skip Duchesneau	Shingobee Connection Trail	Joshua Widman	WHA student
Steve Bilben	Shingobee Connection Trail	Phil Kinnunen	Self
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent
Allan Olson	Cass Lake Times		

- 1B. M/S/P Downham, Dowson – 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 Gaalswyk, Downham – To waive reading and approve the consent agenda. Unanimous.

Approve - Board Minutes of February 21, 2012.

Approve - Auditor warrants dated February 16, 2012 in the amount of \$257,533.74.

Approve - Auditor warrants dated February 23, 2012 in the amount of \$145,285.97.

Approve - HHVS Auditor warrants dated February 24, 2012 in the amount of \$120,015.76.

Approve - HHVS Commissioner warrants dated February 24, 2012 in the amount of \$158,728.51.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Sarah Smythe to Eligibility Worker, grade 20, step 1, effective March 05, 2012. 2. Receive & file - Notice of seasonal employment for an on call snow plow driver at the Hackensack Shop – Michael Eisbrenner, grade 12, step 1. B. Positions scheduled for no replacement at this time: 1. Receive & file - Notice of resignation of Rachael Martin, County Agency Social Worker, grade 28, step 6, effective February 17, 2012, and receive & file the notice of intent to table filling of the budgeted County Agency Social Worker position vacated by Rachael Martin. C. Other: 1. Receive and file notice of temporary salary adjustment (+3%) for working out of class as Deputy Auditor-Treasurer II, Grade 24, effective with current pay period - Della Meyer.

Approve licenses – On & Off Sale 3.2 Beer - Black Bear Golf - Black Bear Golf, Inc., Pine River. Set-Ups- Cass Lake Lodge - 2 Balls, Inc., Pike Bay; Birch Ridge Resort - Frank Alianello, Ottertail Peninsula. Gambling - Young at Heart Senior Club – June 23, July 7, July 28, August 11, 2012, Mary Jane Lewis, Kego.

Receive & file - Timber auction results of February 23, 2012 totaling 8,323 cords plus 124.80 mbf saw timber totaling \$216,608.00.

Receive & file - Medical Examiner statistics for January 1, 2011 through December 31, 2011.

Approve - Pay requests for Cass County ARMER Project: MidStates Wireless - radio install \$10,743.16; Roger's Two Way Radio – ARMER system \$641.25; DSC Communications - ARMER programming \$8,155.70; Olson Electric - ARMER system \$2,362.10; American Eagle Security Systems, Inc. - Pillager Tower \$959.75; Motorola Solutions Inc. – ARMER radio charges \$20,789.50; DSC Communications. – ARMER \$106.88; Hummingbird Press – ARMER instruction sheets \$343.29.

Approve - Appointment of Robert Hobson (Chickamaw Beach representative) to the Pine River Area Sanitary District Board with a term expiring Dec. 31, 2015.

Approve - Land Department grant of permission - wet meadow burn plan for 2012 by the USFS.

Approve - Resolution No. 13-12 for capital improvements on Grant-In-Aid snowmobile trails for 2012-2013 trail bed improvements.

Commissioner Gaalswyk offered Resolution No. 13-12 and moved its adoption, Commissioner Downham seconded:

WHEREAS, the MN DNR has established the Minnesota Snowmobile Trails Assistance Program Funding of Capital Improvement Projects and;

WHEREAS, multiple Cass County Grant-In-Aid Snowmobile trails have been identified by local clubs as having needs for improvements that exceed normal maintenance costs.

NOW, THEREFORE, BE IT RESOLVED, that the Cass County Board of Commissioners hereby authorizes the Cass County Land Department to participate in a grant agreement with the Department of Natural Resources for repairs to Cass County Grant-In-Aid using the Minnesota Snowmobile Trails Assistance Program Funding of Capital Improvement Projects. The total project cost is estimated at \$50,000.00 with the Cass County contribution equal to 35% of the actual cost.

Resolution No. 13-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Peterson. Absent: Kangas. Nays: None.

Approve - Ricky Allan Gregory request to change spelling of his name and add reference to Exhibit A on an easement already granted for a 33' easement on existing trails to access PID #12-035-2415 located in 35-139-26 (Crooked Lake Twp.).

Receive and file - HHVS Cash Account Balance Comparison and Child Service Costs through January 2012.

Approve - Home and Community Based Services Contract for 2012-2014 between Cass County and VRI dba Neighbor Helpline.

Approve - Joint Powers Agreement for "Take It To The Box" with HHVS and City of Lake Shore.

Approve - Assessor's Office Abatements - Ellsworth Johnson - Pine River Twp., 31-022-3402 Damage/Fire Abatement - \$328 Refund \$152 2011.

Refer - Post-Employment Benefit Valuation Report to the Citizen Budget Committee.

Approve - Recorder's Office purchase of new plat color scanner, printer, and color plotter, not to exceed \$50,000.00 (Source of funds - Recorder's Office Technology Fund).

- 2B. Administrator Yochum presented a draft newsletter that with Board permission would be included in the 2012 property tax statements. Mr. Yochum acknowledged Auditor-Treasurer Sharon Anderson and Deputy Auditor.-Treasurer I Sue Gray for their exceptional job.

M/S/P Dowson, Gaalswyk – To approve an insert with the 2012 property tax statement focusing on **Redistricting, Election Information, Protecting Critical Shorelands, "Take It To The Box", Health Guidelines on Eating Fish, NIXLE**(Emergency Notification System), **Prescription Drug Discount Card**, and other general County information. Unanimous.

- 3A. Shingobee Trail Project committee members Steve Bilben, and Skip Duchesneau presented Phase 5 of the Shingobee Connection Trail - a bike trail from the Walker Area Community Center (WACC) along the Walker-Hackensack-Akeley School site through the Chippewa National Forest District Headquarters property, and a tunnel under Hwy #371 to the Walker City Park. Mr. Bilben reported that the project phases 1 through 4 are either complete or are scheduled for completion in 2012. Phase 5 would be coordinated with the USFS work on Hwy #371 scheduled for 2013. Mr. Duchesneau explained the trail funding status to date and the need for up to an additional \$150,000 from Cass County Conservation Fund #73. Committee members Bilben and Duchesneau emphasized that the \$390,000 contribution to date and the additional funds requested has allowed the project to match a multitude of other funding sources that will make trail improvements estimated at \$2,522,061. Administrator Yochum reviewed the Cass County Conservation Fund #73 budget status.

M/S/P Dowson, Downham – To approve the use of Conservation Fund #73 not to exceed \$150,000.00 for the Shingobee Connection Trail Phase V. Unanimous

- 4A. Highway Engineer Dave Enblom presented a request to revoke CSAH 37 as a State Aid Highway a one mile section of road on the Cass/Hubbard county line. Mr. Enblom presented Resolution No. 14-12 to revoke CSAH 37 as a State Aid Highway.

Commissioner Dowson offered Resolution No. 14-12 and moved its adoption, Commissioner Downham seconded:

RESOLUTION REVOKING COUNTY STATE AID HIGHWAY

WHEREAS, It appears to the County Board of the County of Cass that the road hereinafter described is a County State Aid Highway Under the provisions of Minnesota Laws;

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Cass that the road described as follows, to-wit:

County State Aid Highway No. 37 – Beginning at a point on the Cass-Hubbard County Line near the southwest corner of Section 18, Township 141 North, Range 31 West, said point being on Trunk Highway No. 34; thence along the established center line of the public road, described as follows: From said point of beginning following a northerly direction along or near the said county line on the west line of Section 18 to the approximate southwest corner of Section 7, Township 141 North, Range 31 West, the north half of said county line portion to be assigned to Cass County and identified as Cass County State Aid Highway No. 37; thence continuing in a northeasterly direction across said Section 7 to a point on County State Aid Highway No. 12 in the northwest quarter of Section 7, Township 141 North, Range 31 West, and there terminating. Length – Approximately 1.4 miles.

be, and hereby is, revoked as a County State Aid Highway of said County subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration.

Resolution No. 14-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Peterson. Absent: Kangas. Nays: None.

Mr. Enblom presented a request to reassign the County State Aid Highway No. 37 designation and related mileage revoked pursuant to Resolution 14-12 to the proposed future AhGwahChing road corridor. The requested designation will satisfy the requirements of completing the AhGwahChing Trunk Highway 290 turnback process which includes the State providing a one time payment of approximately \$250,000 to Cass County. County Engineer Enblom explained that the County State aid designation and turnback process does not commit the County to any construction of the corridor at this time – subsequent County Board action would be required to actually order improvements.

Commissioner Gaalswyk offered Resolution No. 15-12 and moved its adoption, Commissioner Dowson seconded:

RESOLUTION ESTABLISHING COUNTY STATE AID HIGHWAY

WHEREAS, it appears to the County Board of the County of Cass that the road hereinafter described should be designated a County State Aid Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Cass that the road described in attached EXHIBIT A be, and hereby is established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Cass, to be numbered and known as County State Aid Highway 37.

Resolution No. 15-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Peterson. Absent: Kangas. Nays: None.

- 4B. Construction Design Engineer Laura Hadrava presented a status report on the reconstruction of CSAH 1 from Trunk Highway #210 to the City Pine River. Improvements starting in 1997 and scheduled through 2016 were discussed. The department has been pursuing completion of this County priority with recent completed projects and advocates moving planned improvements scheduled for 2014 and 2016 to earlier years as funding permits. No action at this time.
- 4C. Engineer Laura Hadrava presented bid results for award consideration for 2012 Contract No.: 60120, Project No SAP 011-601-020(CSAH 1), SAP 011-617-005(CSAH17), SAP 011-634-004(CSAH 34), SAP011-803-002(Backus main street), and CP 2012-1(109)(CR 109 paving). Bids were opened at 2:00 PM on March 1, 2012. Ms. Hadrava informed the Board that the Engineers estimate was \$3,204,949.04.

M/S/P Dowson, Gaalswyk – To award the bid to the following apparent low bidder (received on March 1, 2012) for Contract No.: 60120, Project No.: CP 2012-1(109)(CR109 paving), SAP 011-601-020(CSAH#1), SAP 011-617-005(CR#17), SAP 011-634-004(CSAH 34), SAP 011-803-002(Backus main street) to Tri-City Paving, Inc. in the bid amount of \$3,100,829.05 (3.25% % under Engineers estimate of \$3,204,949.04). Unanimous.

Project No.: CP 2012-1(109), SAP 011-601-020, SAP 011-617-005, SAP 011-634-004, SAP 011-803-002
 Engineers Estimate \$3,204,949.04

<u>Bidder</u>	<u>Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Tri-City Paving, Inc.	\$3,100,829.05	3.25% UNDER ESTIMATE
Anderson Brothers Construction Co.	\$3,112,081.94	2.90% UNDER ESTIMATE
Central Specialties, Inc.	\$3,254,041.10	1.53% OVER ESTIMATE
Knife River Materials	\$3,267,494.42	1.95% OVER ESTIMATE

4D. County Administrator Yochum and Engineer Enblom summarized a committee meeting held Friday, March 2, 2012 with the Leech Lake Band of Ojibwe (LLBO). LLBO representatives included: Mick Finn, Steve White, Rich Robinson, Art Chase, Levi Brown, Bob Gogleye, Eli Hunt, and Rodney White. County representatives present were Dick Downham, Jim Dowson, Robert Yochum, Dave Enblom, and John Ringle. State Representative John Persell also participated. The committee discussed roads, trails, wastewater planning, and reuse of Ah-Gwah-Ching propane tanks. Mr. Yochum added that the elected officials expressed their appreciation for the positive attitude and relationships among the staff.

M/S/P Dowson, Peterson – To receive & file the Committee meeting notes of Friday, March 2, 2012 with the Leech Lake Band of Ojibwe. Unanimous.

5A. Family Health Supervisor Renee Lukkason presented an overview of the Women, Infant and Children (WIC) Program including key components, clients served and Cass County’s role in the program. Ms. Lukkason reported that the WIC Program began in 1974 and is a public health program designed to improve the health of participating families that meet income eligibility guidelines. Cass County presently has 814 participants utilizing the WIC Program. Ms. Lukkason introduced Public Health Division employees Merilee Payne, Marlee Morrison, Jennifer Jackson, Mary Bull and Rachel Raveling who provide direct services under the program. The Board thanked Ms. Lukkason and the WIC program staff. No action necessary.

5B. HHVS Director Reno Wells updated the Board on recent correspondence from the MN Department of Human Services Commissioner Lucinda Jesson reporting excellent financial reporting for calendar year 2011. Mr. Wells also shared a recent audit indicating that Cass County is in federal compliance with IEVS (Income & Eligibility Verification System) client reporting system that cross-matches information with other government agencies. The Board asked the Director to acknowledge appropriate staff.

6A. Sheriff Tom Burch presented the 2011 Cass County Sheriff’s Office annual report that included: calls for service data, civil process activity, new warrants entered, warrants cleared, criminal history checks, permits issued, recreation volumes, jail statistics, community outreach, average response times, and capital improvements. The Board thanked the Sheriff for the report. No Board action was necessary.

6B. Sheriff Burch presented a breakdown of the 2011 “Calls for Service” which totaled 17,451 in 2011. Statistics by Township, by City, and by patrol area were presented along with ten year trends. Each Township and City in the County will additionally receive a list of activity by type of calls for service. Sheriff Burch also commented that the Sheriff’s Office was \$239,000.00 under budget in 2011.

6C. Lieutenant Joel Norenberg presented the jail inspection report dated January 24, 2012 from the MN Department of Corrections. Mr. Norenberg noted that the jail is in 99.99% in compliance in with the mandatory requirements and 100.00% in compliance in the essential requirements. Lieutenant Norenberg complimented jail staff in reaching this level of performance. No action necessary.

7A. Auditor-Treasurer Sharon Anderson acknowledged the public hearing notice for Tuesday, March 6, 2012 to consider the 2012 Cass County Commissioner Redistricting Plan. Ms. Anderson informed the Board that no related written comments from the public were received. No one in the room requested to be heard. Ms. Anderson presented Resolution No. 16-12.

Commissioner Downham offered Resolution No. 16-12 and moved its adoption, Commissioner Dowson seconded:

2012 Cass County Redistricting Plan

WHEREAS, Minnesota Statutes Chapter 375 establishes the procedure and requires a process for redistricting County Commissioner districts based on population figures from the Federal Census; and,

WHEREAS, Minnesota Statute section 204B.135, subd. 2 requires that County Commissioner Districts be redistricted within 80 days of when the legislature has been redistricted or at least 15 weeks before the state primary election, whichever comes first; and,

WHEREAS, the state redistricting plans were released on February 21, 2012, and municipalities in Cass County will complete the re-establishment of precinct boundaries no later than April 3, 2012, and,

WHEREAS, pursuant to law the 2010 Federal Census population figures shall be used to redistrict the Cass County Commissioner Districts, and that Commissioner Districts shall be bounded by town, municipal, ward, city district, or precinct lines; and,

WHEREAS, the Cass County Board has considered statutory requirements and general principles of redistricting including contiguity, regularity and compactness of proposed districts; population balance within allowed deviation of +/- 10%; minority populations; and communities of interest.

NOW, THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners hereby adopts the redistricting plan described below, to be effective for the 2012 primary and general elections:

District 1 - East Gull Lake, Fairview Township, Lake Shore, Pillager, Sylvan Township (2 Yr. Term ending January, 2015)

District 2 - Becker Township, Byron Township, Homebrook Township, Loon Lake Township, Maple Township, May Township (1), Meadowbrook Township, Moose Lake Township, Motley(pt) (1), Pine River, Pine River Township, Walden Township, Wilson Township (4 Yr. Term ending January, 2017)

District 3 - Ansel Township, Backus, Barclay Township (2), Beulah, Birch Lake Township, Blind Lake Township, Bull Moose Township, Bungo Township(2), Chickamaw Beach (2), Crooked Lake Township, Deerfield Township, Hackensack, Hiram Township, McKinley Township, Ponto Lake Township, Poplar Township (2), Powers Township, Thunder Lake Township, Trelipe Township, Woodrow Township (4 Yr. Term ending January, 2017)

District 4 - Inguadona Township, Kego Township, Lima Township (5), Longville, Rogers Point, Pine Lake Township, Remer, Remer Township, Shingobee Township P-1, Shingobee Township P-2, Smoky Hollow Township (5), Turtle Lake Township, Wabedo Township, Walker (Continuation of Current Term ending January, 2015)

District 5 - Bena, Boy Lake Township, Boy River, Boy River Township, Cass Lake, Federal Dam, Gould Township, Hardwood South, Leech Lake Township, Ottertail Peninsula Township, Pike Bay Township, Rogers Township, Salem Township, Slater Township, Sucker Lakes, Torrey Township, Wahnena, Wilkinson Township, Willow River, Winnie Portage Lakes (4 Yr. Term ending January, 2017)

BE IT FINALLY RESOLVED that the proposed districts are identified in a map of the County attached hereto and marked Exhibit A which by reference is hereby made a part hereof.

Resolution No. 16-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Peterson. Absent: Kangas.
Nays: None.

Ms. Anderson presented Resolution No. 17-12 that establishes voting precinct boundaries for the Unorganized areas of Cass County that include - Hardwood South, Rogers Point, Sucker Lakes, Wahnena, Willow River, and Winnie Portage Lakes.

Commissioner Dowson offered Resolution No. 17-12 and moved its adoption, Commissioner Downham seconded:

WHEREAS, Minnesota Statutes 204B.14 requires at minimum all municipalities in the state to re-establish voting precinct boundaries every ten years following the federal census and after completion of State redistricting, and

WHEREAS, the State redistricting plans were released on February 21, 2012 based on the 2010 federal census population.

NOW THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners, acting as the Township Board, hereby re-establishes voting precinct boundaries for the Unorganized areas of Cass County herein listed. Maps of these boundaries are on file and will be disseminated as required by law, and notice given to the Cass County Auditor-Treasurer.

Precincts – Re-establish Voting Precinct Boundaries in Unorganized Areas of Cass County

Hardwood South
Rogers Point
Sucker Lakes
Wahnena
Willow River
Winnie Portage Lakes

FURTHER, we verify that these precincts meet all federal and state statutory requirements and will continue as mail ballot precincts until or unless otherwise amended by law or lawful procedure.

BE IT FURTHER RESOLVED that the Cass County Auditor-Treasurer is hereby authorized on behalf of the Cass County Board and these unorganized townships to submit these re-established voting precinct boundaries to the Minnesota Secretary of State and others as required by law.

Resolution No. 17-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, and Peterson. Absent: Kangas. Nays: None.

- 7B. The Board discussed the MN Legislative and Congressional Districts maps. Auditor-Treasurer Sharon Anderson reported that notice will be provided to every Cass County registered voter in April 2012 identifying what district they reside in and the address of their voting precinct. No action necessary.
- 8A. Auditor-Treasurer Sharon Anderson acknowledged the Public Hearing Notice regarding updates to the 2013-2017 Cass County Capital Improvement Plan. Ms. Anderson discussed the goals and criteria of the plan and identified one new project request since work session review by the Board and Citizen Budget Committee. The proposed plan is drafted pursuant to Minnesota Statutes 373.40 and per County Board policy is considered for adoption before June of each year. No one requested to be heard on this subject.

M/S/P Peterson, Gaalswyk - To table the adoption of the Cass County Capital Improvement Plan and continue the hearing until Wednesday, April 4, 2012, during the regular Board meeting that will begin at 9:00 a.m. in the Commissioner's Board Room, Cass County Courthouse, Walker, MN. Unanimous.

9. County Administrator Yochum confirmed the upcoming meeting schedule - a. Work session with Planning Commission on Monday, March 12, 2012, 11:00 A.M., Cass County Land Department Meeting Room, Backus, MN. b. Cass County Contractors Workshop, Friday, March 30, 2012, 9:00 A.M., Northern Lights Casino and Events Center, Walker, MN.
10. Chairman Peterson adjourned the meeting at 11:22 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator