

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
March 20, 2012**

- 1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, March 20, 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	Reno Wells	HHVS Director
Candy Enblom	HHVS - Fin.Asst.Supv I	Jamie Richter	Director of Public Health Nursing
Heidi Massie	HHVS	Melanie Wolfe	HHVS
Tom Burch	Sheriff	Dave Enblom	Highway Engineer
Kris Lyytinen	Asst. Highway Engineer	Jim Schneider	Probation Director
Sue Wickland	Probation Dept.	Lindsay Cates	Probation Officer
Mary Gilmer	Self	Mary Krecklau	Home Health Aide
Randall Krecklau	Cass Co. resident	Rachel Stone	Home Health Aide
Paul Fairbanks	ESD	John Ringle	ESD Director
Kelly Felton	Working Together	Dale Yerger	Deep Portage Reserve
Sandra Pofert	Working Together	Jack Fitzgerald	Deep Portage/Cass Co. Ikes
Jerry Fitzgerald	Deep Portage/Cass Co. Ikes	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Downham, Dowson – To approve the agenda items for discussion as presented and the addition of Item 3C.(Notification that the Counties of Cass, Morrison, Todd and Wadena have been awarded a Community Transformation Grant from the MN Department of Health in the amount of \$200,000.00 per year until September 2016). Unanimous.

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

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

Approve - Board Minutes of March 6, 2012.

Approve - Auditor manual warrants dated February, 2012 in the amount of \$894,817.54.

Approve - Auditor warrants dated February 29, 2012 in the amount of \$2,383.00.

Approve - Auditor warrants dated March 1, 2012 in the amount of \$169,280.91.

Approve - Auditor warrants dated March 8, 2012 in the amount of \$301,581.33.

Receive & file - Monthly budget reports.

Approve - HHVS Auditor warrants dated February 29, 2012 in the amount of \$523.00.

Approve - HHVS Commissioner warrants dated March 9, 2012 in the amount of \$76,342.43.

Approve - HHVS Auditor warrants dated March 9, 2012 in the amount of \$ 63,443.09.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file notice of appointment of Lindsay Cates to Probation Officer, grade 28, step 1, effective March 19, 2012. 2. Receive & file notice of appointment of Francis Austin to County Agency Social Worker, grade 28, step 1, effective March 19, 2012. 3. Receive & file notice of appointment of Jeanette Wiger to permanent part-time 0.50 FTE, Outreach Worker, grade 14, step 1, effective April 1, 2012. 4. Receive & file notice of appointment of Sherry Fitch to Licensed Practical Nurse, grade 17, step 5, effective April 1, 2012 (working fewer than required hours for fringe benefits.) Positions scheduled for no replacement at this time: None. C. Other:

1. Approve PEHRC's point factor evaluation system rating for HHVS position of Office Support Specialist Senior at grade 18. 2. Approve PEHRC's point factor evaluation system rating for HHVS position Team Leader Exempt at grade 34.

Approve Licenses – Tobacco - Legacy Glassworks, LLC - Legacy Glassworks, LLC, Turtle Lake @Moondance.

Receive & file - Auditor -Treasurer's interest income report for February 2012.

M/S/P Dowson, Kangas - To accept a quote to plant approximately 95,200 trees during the 2012 spring planting season from Superior Forestry Services, Inc. in the amount of \$53.80/thousand seedlings. Unanimous.

<u>Bidder</u>	<u>Bid price per thousand</u>
Superior Forestry Services, Inc.	\$53.80/thousand seedlings
Garcia Forest Services, LLC	\$72.00/thousand seedlings
Express Forestry Services, LLC	\$74.70/thousand seedlings
Anthony Bull	\$79.00/thousand seedlings

Approve - FY2012 grant-in-aid assistance from MNDNR for Soo Line ATV Trail (CFMS: Contract No. #42191) in the amount of \$6,300.00.

Approve - Pay requests for Cass County ARMER Project to American Eagle Security Systems – Pillager Tower - \$55.00.

Receive & file - February 2012 Cass County EDC activity report.

Approve - Resolution No. 18-12 Sheriff's Office 2011 Boat and Water Safety Grant (Contract #42379) in the amount of \$56,171.00.

Commissioner Dowson offered Resolution No. 18-12 and moved its adoption; Commissioner Kangas seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2012 Annual County Boat and Water Safety Agreement (Contract #42349) for \$56,171.00 with the State Department of Natural Resources, and authorizes signature of the Chairman, Administrator, and Sheriff to execute the Agreement.

Resolution No.18-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, and Peterson. Nays: None.

Approve - Assessor's Office Abatements. (Both for tax year 2011) Steven Airhart, Etal - Rogers Twp 36-018-4407 Damage/Fire Abatement refund \$134. Cynthia A Hankey - Woodrow Twp 51-024-1104 Damage/Fire Abatement refund \$1,212.

Approve - Land Department 2011 aerial photo contract deduct to Infared Baron (-\$3,750.00).

Receive & file - 2012 Cass County Board of Review schedules.

Receive & file - Family center annual reports.

Approve - Grant contract between State of Minnesota, Department of Human Services Economic Stability Division and Cass County HHVS.

Authorize - Acceptance of FY 2012 BWSR Clean Water grant award, and authorize ESD Director John Ringle to execute the same in the amount of \$83,590 (Project #C12-78).

Authorize - Submission of worksheet to MN PCA for the Sugar Point SSTS project area to be placed on the State Project Priority List (PPL).

Receive & file - Highway easement lease proceeds of \$118.49 to be distributed with July 2012 property tax settlement.

Approve - Amendment to the purchase of service contract between Rural Minnesota Concentrated Employment Program (CEP), Inc. and Cass County Health, Human & Veteran Services for the 2012 Minnesota Family Investment Program (MFIP focus on Native Americans).

Adopt – Resolution No. 19-12 establishing a public hearing on Tuesday, April 17, 2012 for Class B Land Exchange.

Commissioner Dowson offered Resolution No. 19-12 and moved its adoption, Commissioner Kangas seconded:

WHEREAS, the Cass County Board of Commissioners is reclassifying the following parcel of tax forfeited land non-conservation land based upon the approval of the Township of Leech Lake and the recommendation of the Land Commissioner.

County Tax-Forfeited Land:

PART OF THE SW¼ OF THE SE¼, SECTION 18, TOWNSHIP 143, RANGE 31 (LEECH LAKE TOWNSHIP)

Parcel ID# 20-018-4301

REV DESCT 2 OF GOV LOT 6, SECTION 18, TOWNSHIP 143, RANGE 31 (LEECH LAKE TOWNSHIP)

Parcel ID# 20-018-3407

WHEREAS, the Cass County Board of Commissioners accepts the application of Brad and Laura Zubke for a land exchange of the following described land and authorizes the Land Commissioner to make an appraisal of all lands involved in the land exchange and proceed with abstract and title opinion.

County Tax-Forfeited Land:

PART OF THE SW¼ OF THE SE¼, SECTION 18, TOWNSHIP 143, RANGE 31 (LEECH LAKE TOWNSHIP)  
Parcel ID# 20-018-4301  
REV DESCT 2 OF GOV LOT 6, SECTION 18, TOWNSHIP 143, RANGE 31 (LEECH LAKE TOWNSHIP)  
Parcel ID# 20-018-3407

Private Land:

NE¼ OF THE NE¼ AND THE NW¼ OF THE NE¼, SECTION 23, TOWNSHIP 144, RANGE 31  
(WILKINSON TOWNSHIP),  
TOGETHER WITH AN ACCESS EASEMENT OVER AND ACROSS A 33 FOOT RIGHT OF WAY ACROSS THE NW¼ OF  
THE NW¼ OF SEC 21-144-31, THE CENTERLINE OF WHICH BEGINS ON THE NORTH SECTION LINE 285 FEET  
WEST OF THE NORTHEAST CORNER OF THE NW¼ OF THE NW¼, THENCE IN A SOUTHWESTERLY DIRECTION  
INTERSECTING THE WEST SECTION LINE OF SECTION 24, 186 FEET SOUTH OF THE NORTHWEST CORNER  
Parcel ID#S 49-023-1200 & 49-023-1100

NOW, THEREFORE, BE IT RESOLVED, That the County Administrator publish a notice of Public Hearing to be held on April 17, 2012 in the Board of Commissioners Room, First Floor, Courthouse, Walker, MN.

Resolution No.19-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, and Peterson. Nays: None.

- 2B. County Administrator Yochum presented information regarding a request from Todd County for a 2012 State bonding appropriation for a multi-purpose Todd County Senior Citizens Health Living Center facility.

Commissioner Kangas offered Resolution No. 20-12 and moved its adoption, Commissioner Dowson seconded:

WHEREAS, Todd County has one of the highest median ages in the State of Minnesota, and the central/west central region of Minnesota has a similarly high median age, and,  
WHEREAS, Cass County values the ability of an individual or family to live independently and healthy and to live longer better, and,  
WHEREAS, in a rural setting it is imperative that senior citizens have a strong support structure and network to ensure that they are able to stay in their homes and live fulfilling lifestyles, and,  
WHEREAS, there is a significant and untapped market for locally grown and marketed foods in the central/west central Minnesota region, and,  
WHEREAS, this project will grow the capacity of the region to support farmers, institutions and senior citizens.  
NOW, THEREFORE BE IT RESOLVED, that Cass County supports Todd County's application to the State of Minnesota for a capital bonding request for 2012.

Resolution No.20-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 3A. Financial Assistance Supervisor I Candy Enblom presented an overview and update of Income Maintenance Unit statistics. Ms. Enblom informed the Board that cases per worker have increased significantly since January 2009 from 186 to 224 with staffing levels remaining the same. The total case increase of 603 since January 2009 is the equivalent of more than 2 full caseloads that have been absorbed by current staff. Ms. Enblom reported that cash program volume has been stable, but that food support and health care assistance has increased each up approximately 550 cases to a combined activity level of 4,874. Trends also indicate that more families are receiving help from more than one program, increasing the complexity of the case. The number of clients seen in the office dropped by over 600 from 2010 to 2011, from 6340 to 5710 (a change in food support policy allows applicants and recipients to be interviewed by phone, rather than requiring them to come to the office for new applications and annual reviews). Processing methods are being changed from a "case management" system to "case banking" to manage present workloads.

Ms. Enblom also updated the Board on a demonstration project for the delivery of Income Maintenance Services in Cass, Crow Wing & Todd Counties that would allow a non-resident Income Maintenance client a choice of where they could apply for and receive their public assistance (historically limited to the County of residence). Although all three County Boards endorsed the concept in 2011 staffing concerns in adjacent Counties as well as other internal projects has delayed further discussion of the pilot until April 2012. The Board thanked Ms. Enblom for the update. No action necessary.

- 3B. HHVS Director Reno Wells and Director of Public Health Nursing Jamie Richter updated the Board regarding the review of home care services completed in 2011. They reported that part of the program analysis included review of staffing plans and related contracts. Acting on the advice of County labor counsel individual contracts were extended to home health aides in 2011 through March 31, 2012 and the HHVS AFSCME bargaining unit was notified that the more appropriate classification would be roster employees (intermittent hourly assignments scheduled based upon the workers availability and the agency's need) rather than contract employees. Inasmuch as the present labor agreement does not include provisions for roster employees (essentially continuing the labor practices under the former contracts), HHVS recommends classification of home health aides as part time employees working less than 20 hours per week and per Section 12.7 of the contract not eligible for fringe benefits. The recommended grade and step placement is consistent with previous Board action. Administrator Yochum added that HHVS is fully aware that three of the seven home health aides have averaged more than 20 hours per week in the past and will continue to pursue alternatives reporting back as necessary. Mary Krecklau and Rachel Stone expressed concerns regarding the reduction in hours. Director Wells stated service delivery will not be compromised.

M/S/P Dowson, Kangas – To receive and file the notice of appointment of Home Health Aides at grade 13 effective April 01, 2012 (working fewer than required hours for fringe benefits): Audrey Hopkins step 10, Mary Krecklau step 3, Rachel Stone step 5, Carol Smith step 1, Laurie Ness step 1, Debra Shake step 2, Cynthia Troyna step 1, and three vacancies at step 1. Unanimous.

- 3C. Ms. Richter informed the Board that Cass County along with the Counties of Morrison, Todd, and Wadena (who were SHIP 2.0 grantees) have been awarded the Community Transformation Grant from the MN Department of Health in the amount of \$200,000.00 per year until September 2016. Additional information will be provided upon receipt of grant documents. No action necessary at this time.
- 4A. Sheriff Tom Burch requested Board approval of ARMER Motorola Contract #10-17308/LF change order #4 in the deduct amount of \$101,632.44 (reschedule the Cuba Hill Site installation until 1<sup>st</sup> quarter of 2013 at a cost of \$72,933.00 and equipment credits in the amount of \$28,699.44 transferred to the Remer Area Ambulance Service).

M/S/P Dowson, Downham – To approve ARMER Motorola Contract #10-17308/LF change order #4 in the deduct amount of \$101,632.44. Unanimous.

- 4B. Sheriff Burch reported that he has been informed that a pending State of MN grant award through the NE Regional Radio Board has been increased by \$240,000 (from \$302,500 to \$542,500). The Board thanked the Sheriff for pursuit of grant funds - no action necessary.
- 4C. Sheriff Burch and Substance Abuse Prevention Specialist Kelly Felton discussed the Working Together Coalition (WTC) program that has been educating businesses in responsible beverage server training and compliance checks in the Pine River-Backus School District, the Northland School District and the Walker-Hackensack-Akeley School District areas for the past several years. To date this has been a very successful project and it has received positive feedback from business owners and the communities where the compliance checks have been done so far. The Working Together Coalition would like to explore expanding the program through a contract to provide services throughout the County with an initial cost estimate of \$5,000 to \$7,000 per year. The training would be provided at no cost to the businesses.

M/S/P Kangas, Gaalswyk – To refer the Working Together Coalition beverage server training and compliance check program to the Cass County Citizen Budget Committee for consideration in the 2013 budget. Unanimous.

- 5A. Probation Director Jim Schneider introduced Probation Officer Lindsay Cates and Probation Office Manager Sue Wickland. Mr. Schneider presented the 2011 Probation Department Annual Report. The report indicated there were adult violations in 2011 of 1,064 compared to 1,117 in 2010, and juvenile violations in 2011 of 774 compared to 866 in 2010. In addition Director Schneider discussed financial trends, Wellness Court, the Diversion program and community involvement.

M/S/P Downham, Dowson – To receive and file the 2011 Probation Department Annual Report as presented. Unanimous.

- 5B. Director Schneider reviewed the executive summary of the 2011 Northwest Juvenile Center Annual Report. Mr. Schneider explained that children are placed at the Northwest Juvenile Center for two reasons which are delinquent behavior (children who violate the law and are in need of a structured setting to stabilize their behavior and to protect society from harm) and child welfare issues (children in need of a structured environment because they pose a threat to themselves or others and are not delinquent). Cass County placements in 2011 at Northwest Juvenile Center were 187 intakes at a cost of \$1,940,890.

M/S/P Gaalswyk, Downham – To receive and file the 2011 Northwest Juvenile Center Annual Report as presented. Unanimous.

- 6A. Land Commissioner Josh Stevenson acknowledged the public hearing notice for Tuesday, March 20, 2012 to consider establishing areas of limitations within the Deep Portage Conservation Reserve and immediate environs. An area with limitations is public land where motorized vehicle operation is limited to specific trails and forest access roads, and the “big game exception” for motorized vehicles during hunting seasons would also not apply. Deep Portage trustee and honorary member of the Cass County Ikes Jack Fitzgerald commented in favor of designating the Deep Portage Reserve as an area with limitations. Mr. Stevenson reported that all the townships affected have passed a resolution in support of the designation of the County Administered Land. Following Board action DNR is expected to similarly designate adjacent State land. Mr. Stevenson presented Resolution No. 21-12.

Commissioner Downham offered Resolution No. 21-12 and moved its adoption; Commissioner Peterson seconded:

WHEREAS, the Cass County Board of Commissioners has received a request for Area with Limitations Designation for the Deep Portage Reserve including motorized access routes as shown on the attached map of Deep Portage Conservation Reserve and Immediate Environs with identified motorized access trails, and

WHEREAS, the Deep Portage Foundation and the Cass County Chapter of the Izaak Walton League of America have requested that Deep Portage Reserve be designated an Area with Limitations, and

WHEREAS, this request is consistent with the existing historical use of Deep Portage (see Cass County Board’s Resolution 387.5 dated May 6, 1975) and follows the existing draft management plan that was produced during the public review process for the East Central Group trail designations (there was no objection to this designation for Deep Portage Reserve at the time), and

WHEREAS, the four local units of government (Woodrow, Powers, Ponto and Birch Lake Townships) in which the Deep Portage Reserve is located have passed unanimous resolutions in support of an Area with Limitations designation for Deep Portage Reserve, and

WHEREAS, no new motorized access roads/trails or any other types of roads/trails are proposed and there are no Township roads or trails in the Deep Portage Reserve, and

WHEREAS, the county will continue to maintain the existing motorized access roads located on County administered land (often used for forest management) and the state of Minnesota on State administered land located within the Deep Portage Reserve boundaries. The Deep Portage Foundation and Cass County Chapter of the Izaak Walton League of America will fund the acquisition and posting of signage for roads that will be accessible to motorized vehicles (signs will be posted as soon as possible after an official designation is made at an estimated cost of \$5,000). The Deep Portage Foundation and Cass County Chapter of the Izaak Walton League of America will continue to maintain all signs associated with this designation as well as the existing trails located on the Reserve (snow shoe, cross country ski, hiking and snowmobile), and

WHEREAS, the establishment of an Area with Limitations designation, with appropriate signage, for Deep Portage Reserve will make enforcement procedures in the Deep Portage Reserve similar to all such designated areas in Minnesota, including the exemption of snowmobiles from the definition of motorized vehicles. Minnesota Department of Natural Resource Officers, as well as Cass County Sheriff officers, will have the authority and codification in law necessary to enforce the Area with Limitations designation in Deep Portage Reserve. For designated Areas with Limitation statewide, unless a road or trail is posted that it is open to motorized vehicle use, such use is prohibited, and

WHEREAS, Public education for an Area with Limitations designation for Deep Portage Reserve has begun with letters sent to all residents within a quarter mile of the Deep Portage Reserve boundaries alerting them to our request to designate the Deep Portage Reserve as an Area with Limitations, including what that means and a map indicating the motorized access points.

Should the Cass County Board make an Area with Limitations designation official, the Deep Portage Foundation and Cass County Chapter of the Izaak Walton League, based on feedback received from the previous mailing, will provide maps that more clearly designate the motorized vehicle access points, as well as any restrictions placed on those points by private land owners or State owned and managed land. Said maps will be available at Deep Portage Reserve. In addition local news outlets will be provided with a news release and the Minnesota DNR will add the Deep Portage Reserve to its listing of Areas with Limitations.

NOW, THEREFORE, BE IT RESOLVED, that the Cass County Board of Commissioners designates Deep Portage Reserve as an Area with Limitations as identified in Exhibit A attached.

Resolution No.21-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 6B. Mr. Stevenson informed the Board of recent correspondence from the MNDNR Division of Ecological and Water Resources requesting authorization to conduct inspections and decontaminations of watercraft leaving waterbodies that contain invasive species such as Zebra mussels and Eurasian water milfoil. Cass County currently has ten managed boat accesses on State deeded County Administered land.

M/S/P Dowson, Downham – To approve execution of the DNR right of entry form that authorizes inspections and decontaminations of watercraft leaving waterbodies that contain invasive species such as Zebra mussels and Eurasian water milfoil on Cass County's ten managed boat accesses and further, express interest in seeing these boat accesses move to MNDNR ownership. Unanimous.

- 6C. Land Commissioner Stevenson presented a status report on Lessard/Sams land purchases by Cass County, and requested Board authorization to execute a grant agreement to purchase land in Section 31 of Thunder Lake Township. The Cass County Land Department has been working with the MNDNR and Ducks Unlimited regarding the purchase of a 40 acre tract in Thunder Lake Township. The private property is surrounded by public land on the north shore of Lake George, a shallow water wild rice lake. The MNDNR has prepared a grant agreement allowing Cass County to purchase the property with LSOHC funds. The purchase of this property has been approved by the Thunder Lake Township Board. An important part of the LSOHC grant is to remind tax payers that the funds spent are coming from LSOHC and not local levy funds. All property purchased or enhanced with LSOHC is required to be posted and signed indicating the funding source. Signs will be going up shortly on 7 different sites around Cass County indicating the property has either been purchased or enhanced with LSOHC Funds which is a condition of the grant agreements.

M/S/P Dowson, Gaalswyk – To approve execution of a grant agreement with the MN DNR to purchase a 40 acre parcel in Section 31 of Thunder Lake Township utilizing Lessard/Sams Outdoor Heritage Council funds. Unanimous.

- 6D. Mr. Stevenson presented a legislative update from the recent MN Association of County Land Commissioners meeting with State agencies to learn what is being proposed in the current legislative session and to give County Land Commissioners an opportunity to express policy concerns as a group representing the perspective of individual County Boards. The two main legislative changes being proposed in this session of most concern to the group include the following: 1). Expedited Land Exchange: This bill would allow school trust lands to be exchanged with tax forfeit lands in a manner similar to exchanging tax forfeit lands with other State managed lands. MACLC supports the bill as this would create an opportunity for efficiencies in management and access. 2). School Trust Lands: This bill would remove all School Trust Lands from MNDNR administration. The lands would be under the management of a new state agency. No PILT payments for School Trust Lands under this bill. MACLC does not support the bill as written. MACLC believes all public lands and agencies should "pay their own way" in regards to demand for services and revenue. The Board noted its upcoming meeting with State legislators and agreement with the Land Commissioners positions. No action necessary.

- 7A. Highway Engineer Dave Enblom and Assistant Highway Engineer Kris Lyytinen presented the proposed 2012 highway maintenance work program consisting of construction and safety projects: CSAH 1 - CSAH 15 to CR 107 reconstruction; CSAH 8 - TH 200 to end of last reconstruction; CSAH 34 - TH 64 to CSAH 1 mill & inlay; CSAH 39 - TH 200 to Brevik resurfacing; CSAH 63 - CSAH 4 to CSAH 8 mill & inlay; CSAH 67 - along Wadena County line resurfacing; CR 109 - TH 64 to CSAH 24 paving (graded in 2011); CSAH 203 - Backus Street mill & inlay; CSAH 17 - ~1 mi. east of CSAH 1 culvert replacement; CR 103 - ~3 mi. south of Leader bridge replacement; CR 120 - near Wabedo Lake bridge replacement; CR 147 - Fox Creek near Cass Lake bridge replacement; Intersection lighting at 14 locations; Curve safety signage at various locations.

Mr. Lyytinen also discussed maintenance programs consisting of crack sealing on CSAH 31, CSAH 42, CSAH 1, CSAH 40, and CSAH 4; Pavement striping totaling 216.1 miles; Gravel resurfacing on CSAH 41 & CR's 112, 124, 143, 144, 145, 146 & 176; Unorganized Township gravel resurfacing on Six Mile Lake, Highbanks, Northstar, Portage Lake, Iowa Beach, Ketchum, Sucker Bay, and Two Points; Chloride program consisting of 161.9 miles of roadway. Additional individual shop projects include: Cass Lake (C.R. 143 and Two Points ditching & gravel), Remer (CSAH 52 ditch, and FR 2112 raise grade @ Long Lake), Longville (CR 128 gravel, and CR 157 ditching & gravel), Hackensack (CSAH 49 ditching & gravel), Pine River (CR 111 berm removal and gravel), and Pillager (CR 156 berm removal and gravel).

M/S/P Gaalswyk, Dowson – To receive and file the 2012 Highway Maintenance work program as presented. Unanimous.

- 7B. County Engineer Enblom presented a draft letter of agreement with the Minnesota Pollution Control Agency (MPCA) regarding storm water management. Mr. Enblom added that many road projects cross, or are located adjacent to, waters of the state, and have storm water runoff discharges into waters of the state, and transportation projects are a unique category of construction projects that frequently involve existing roads adjacent to private property with established land uses. This makes changes in location controversial and avoidance of some impacts to surface waters difficult. These projects can extend for many miles crossing multiple watershed boundaries and potentially impact lakes, streams, and wetlands. The proposed agreement would work attempt to improve the process for permitting road projects, move toward a common interpretation of the rules and identify protocols for Cass County to meet requirements. Under the proposed agreement, County staff would meet with MPCA inspectors on site during construction projects to discuss changes the MPCA would like made, thus improving the timetable for the County to take corrective action. The Board noted its upcoming meeting with MPCA and State legislators and agreed with the concept of improvements to the storm water management permit process on County road projects. No action necessary.
- 7C. Mr. Enblom discussed the Board action of Tuesday, March 6, 2012 (Resolution No. 15-12) that established County State Aid Highway 37, and that the next process would be to approve the designation of "old" CSAH 37 as County Road #87. Mr. Enblom added that County Road #87 will also be the number Hubbard County uses for this road as well.

Commissioner Downham offered Resolution No. 22-12 and moved its adoption, Commissioner Dowson seconded:

#### RESOLUTION DESIGNATING COUNTY HIGHWAY

WHEREAS, it appears to the County Board of the County of Cass that the road hereinafter described is a County 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 Highway No. 87 –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 Highway No. 87; 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, designated as a County 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.22-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None

8. Administrator Yochum discussed the upcoming meeting schedule noting prior Board action that the Board of Commissioners regular meeting has been moved to Wednesday, April 4, 2012, beginning at 9:00 a.m., Commissioners Board Room, Courthouse, Walker, MN.
9. Chairman Peterson adjourned the meeting at 10:40 a.m.

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

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