

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

- 1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, April 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 | Sheriff |
| Dave Enblom | Highway Engineer | Kris Lyytinen | Asst. Highway Engineer |
| Lori Koch | Highway Department | John Ringle | ESD Director |
| Amy Turnquist | Court Administration | Rachelle Fuller | Court Administration |
| Christopher Strandlie | County Attorney | Col. Scott A. St. Sauver | Camp Ripley Post Commander |
| CSM Dan Smith | Camp Ripley Training | Bob Goede | MCIT |
| Tim Richardson | Central Services | Gail DeBoer | Pilot Independent |
| Monica Lundquist | Brainerd Dispatch | | |

- 1B. M/S/P Downham, Kangas – To approve the agenda items for discussion as presented and the addition of Item 2A. 30 (Approve Joint Powers Agreement for “Take It to the Box” with the City of Cass Lake and the City of Pine River). Unanimous.

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

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

Approve - Board Minutes of April 4, 2012.

Approve - Auditor manual warrants dated March, 2012 in the amount of \$859,296.09.

Approve - Auditor warrants dated March 29, 2012 in the amount of \$110,772.01.

Approve - Auditor warrants dated March 30, 2012 in the amount of \$1,122.00.

Approve - Auditor warrants dated April 5, 2012 in the amount of \$226,910.69.

Receive & file - Monthly Budget Reports.

Approve - HHVS Auditor warrants dated April 6, 2012 in the amount of \$58,195.07.

Approve - HHVS Commissioner Warrants dated April 6, 2012 in the amount of \$41,340.22.

Approve Personnel Actions - A. Budgeted positions scheduled for replacement: Receive & file notice of appointment of Kendra Vogt to County Agency Social Worker, grade 28, step 1, effective April 30, 2012. Receive & file notice of intent to fill newly created position, County Agency Social Worker – Child Protection, grade 28 (This is in lieu of the tabled position being eliminated below). B. Positions scheduled for no replacement at this time: Receive & file notice of no replacement of tabled budgeted position County Agency Social Worker position vacated by Rachael Martin, grade 28, effective February 17, 2012. C. Other: Authorize HHVS Director to extend current leave without pay to Janna Wolter, Grade 32, Public Health Nurse, effective from April 17, 2012 through May 15, 2012 (receipt of additional necessary documentation required by May 7, 2012).

Approve licenses – On & off Sale 3.2 Beer - Cherney’s Resort - Ignace Cherny, Unorganized. The licenses below are contingent upon receipt of paperwork and fees for on & off Sale 3.2 Beer - Anderson’s Cove - Chris Anderson, Leech Lake. Gambling - Jared Allen’s Homes for Wounded Warriors @ Moondance - Amanda Bailey, Turtle Lake; Roosevelt and Lawrence Area Lakes Assn. @ The Narrow Bar & Grill - Mary Kowalski, Crooked Lake. Approve - Off Sale Intoxicating Public Hearing date for May 15th. Lazy Moon Backstage Bar. Moondance Jam, Inc. 7050 39th Ave NW Walker MN 56484 (Turtle Lake Township).

Receive & file - Cass County’s share of State sales & use taxes collected in 2011 on the Leech Lake Reservation in the amount of \$59,860.50.

Receive & file - Timber auction results of March 29, 2012 totaling 6,596.00 cords plus 8.10 mbf saw timber totaling \$144,906.00.

Receive & file - March 2012 Cass County EDC Activity Report.

Approve - Resolution No. 25-12 Sheriff's Office Federal Boating Safety Patrol Supplement Grant (Contract #43712) in the amount of \$13,875.00.

Commissioner Dowson offered Resolution No. 25-12 and moved its adoption, and Commissioner Peterson seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2012 Federal Boating Safety Supplement Grant Agreement (#43712) in the amount of \$13,875.00 with the State of Minnesota Department of Natural Resources, and authorizes signature of the Chairman, Auditor or Administrator and Sheriff to execute the Agreement.

Resolution No. 25-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaaslwyk, Kangas, Peterson. Nays: None.

Approve - Pay requests for Cass County ARMER Project to Motorola Solutions Inc. ARMER Radio \$10,402.55; DSC Communications ARMER Expenses \$14,393.93.

Receive & file - Auditor -Treasurer's Interest Income Report for March 2012.

Receive & file - Kitchigami Regional Library Financial Statement dated December 31, 2011.

Approve - Submission for grant application for Victim Services funding to the Department of Public Safety-Office of Justice Programs (first awarded to Cass County in November 1997 and continuation funding has been awarded every year since).

Authorize - 1st quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

Approve Assessor's Office Abatements

Tax Year

| Name | Parcel ID | Action | Current Value/Tax | Proposed |
|-----------------|-------------|-----------------|-------------------|-----------------------|
| Location | | | | |
| 2012 | | | | |
| Chad Kettelhut | 45-865-0030 | Value Reduction | \$54,500/\$362 | \$54,500/\$0 |
| Turtle Lake Twp | | Class Change | Seasonal | Exempt – Tribal Lease |

Approve – Cass County Family Center Support Services quarterly narrative reports and payment of quarterly expense claims totaling \$15,392.

Approve - Purchase of Services Agreement between Cass County HHVS and Northland Family Resource Center.

Approve – Purchase of Service Agreement between Cass County Health, Human and Veterans Services and Pat Cortese, PH.D.

Approve - Home and Community Based Services Contract for 2012-2014 between Cass County and Brookside.

M/S/P Dowson, Peterson – To award a grading contract of the Deerfield Trails to Sawyer Timber in the amount of \$675.00; to award a grading contract of the Bungo/Moose Lake trails to Holmwig Excavating in the amount of \$850.00; to award a grading contract of the Bull Moose Trail to Sawyer Timber in the amount of \$800.00; to award a contract for the Old Grade to Schrupp Excavating in the amount of \$3,700.00 including grading and hauling additional material. (There will be two grading's this season for each trail system). Unanimous.

| Bidder | Bungo /Moose Lake | Deerfield | Bull Moose | Old Grade |
|-----------------------|-------------------|-----------|------------|-----------|
| Holmwig Excavating | \$850 | \$825 | \$1189 | \$4125 |
| North Fork Excavators | \$1750 | \$1350 | \$1300 | \$4000 |
| Sawyer Timber | \$1100 | \$675 | \$800 | NO BID |
| Schrupp Excavating | \$1300 | \$900 | \$950 | \$3700 |

Receive & file - Deep Portage Conservation Reserve evidence of property insurance – solar & wind equipment.

Approve - Resolution No. 26-12 authorizing Josh Stevenson to execute Lessard-Sam Outdoor Heritage Council grant agreement.

Commissioner Dowson offered Resolution No. 26-12 and moved its adoption, and Commissioner Peterson seconded:
Lessard-Sams Outdoor Heritage Fund

Grantee Resolution

BE IT RESOLVED that Cass County act as legal sponsor for the project contained in MN Laws 2010, Chapter 361, Article 1, Section 2, Subdivision 4 Section (c) Shallow Lake Shoreland Protection: Wild Rice Lakes.

BE IT FURTHER RESOLVED that Cass County has the financial capability to ensure adequate completion of the project and certifies that it will comply with all applicable laws and regulations as stated in the grant agreement.

NOW, THEREFORE BE IT RESOLVED that Joshua Stevenson, Cass County Land Commissioner, is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the recipient.

Resolution No. 26-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaaslyk, Kangas, Peterson. Nays: None.

M/S/P Dowson, Peterson – To approve extension of ISTS Inspector of Ron Brown, dba Sep-Tech Services contract for one year at current rate of \$70.00 per system for properly inspected and documented systems, effective April 17, 2012. Unanimous.

Receive & file - Central MN EMS Region Joint Powers Board By-Law update.

Approve - Joint Powers Agreement for "Take It to the Box" with City of Cass Lake and the City of Pine River.

- 2B. Administrator Robert Yochum reviewed the Conservation Fund #73 budget report dated April 4, 2012 indicating activity to date of: interest revenue of \$1,685,027.19, expenses of \$1,124,248.87, potential committed costs of \$564,257.03, and possible uncommitted balance of -3,478.71 before receivables. No action necessary.
- 2C. Mr. Yochum presented a legislative session summary of bills that have been signed into law, or bills returned to the legislature with a Governor veto. Mr. Yochum also added that he had been contacted by an area legislator offering to meet with the County Board after the session ends to discuss legislation. Assuming the session ends by April 30, 2012 available meeting dates include Tuesday, May 1, 2012 at Walker, beginning at 9:00 a.m. or Tuesday, May 15, 2012 at the Northland Family Center, Remer beginning at 6:00 p.m.

M/S/P Gaaslyk, Downham – To direct the County Administrator to invite incumbent legislators representing portions of Cass County to meet with the Board after the legislative session ends (as early as the May 1, 2012 regular meeting in the Board Room of the Courthouse Annex, Walker, MN). Unanimous.

- 3A. Highway Department Fiscal Officer Lori Koch presented the 2011 Cass County Highway Annual Report. The Board complimented the Highway Department on the detailed report that was presented. No action necessary.
- 3B. Assistant Highway Engineer Kris Lyytinen discussed the Highway Departments interest in using the Fleet Fuel Card Management System for diesel presently dispensed at seven maintenance shops throughout the County. Existing systems are 40+ years old with significant accounting issues due to inaccurate measurement of dispensed product. Attempts have been made to improve the existing pumps, but their age, and lack of repair parts, present ongoing challenges. Installing new pumps would correct these issues, but the cost of upwards of \$10,000 per shop location. Fleet cards to purchase fuel at established retail fuel stations would provide a no-cost solution to the pump upgrade issue. 24 hour access is planned near all shop locations. Sheriff Burch commented that the Sheriff's Office has used this vendor successfully for the last ten years.

M/S/P Dowson, Downham – To approve utilizing the Fleet Fuel Card Management System for the Cass County Highway Department and further, to authorize any additional Cass County Departments to do the same. Unanimous.

- 3C. Assistant Highway Engineer Kris Lyytinen presented bid results for project # CM 2012-4 aggregate surfacing and roadway striping at various locations. Bids were opened at 2:00 PM on Monday, April 16, 2012. Highway Engineer Dave Enblom explained that approximately \$359,000 of the apparent low bid (\$514,183.35) for project # CM 2012-4 aggregate surfacing will improve Unorganized Township roads. Chief Financial Officer Larry Wolfe reported that the 2012 Unorganized Township related budget is \$250,000 and a related fund balance of \$540,000.00. County Engineer Enblom also noted that the 2012 Unorganized Township road work program included moving some improvements up one year from previous plans.

Project Name: County Project No. C.M. 2012-4 - CSAH 41, C.R. 112, C.R. 124, C.R. 128, C.R. 140, C.R. 143, C.R. 144, C.R. 145, C.R. 146 & C.R. 176 and Ketchum Road, Sucker Bay Road, Iowa Beach Road, Portage/Sunset Beach Road, Northstar Road, Highbanks Road & Six Mile/Old Six Mile Lake Road.

Project No.: CM2012-4 Aggregate Surfacing Project

| <u>Bidder</u> | <u>Total Bid Amount</u> |
|----------------------------|-------------------------|
| Wm. D. Scepaniak, Inc. | \$514,183.35 |
| Tri-City Paving, Inc. | \$533,705.00 |
| Anderson Contracting, Inc. | \$544,340.65 |

M/S/P Dowson, Dowson – To award the bid to the apparent low bidder (received on April 16, 2012) for County Project No. C.M. 2012-4 to Wm. D. Scepaniak, Inc. in the bid amount of \$514,183.35, and further authorize the use of \$109,000.00 from the Unorganized Fund Balance. Unanimous.

Assistant Highway Engineer Kris Lyytinen presented bids for roadway striping. Mr. Enblom explained that \$80,000.00 was budgeted for 2012 striping projects on paved roads and requested Board approval to utilize up to \$41,000.00 from the 2012 Highway Department operating budget to fund the balance.

Project Name: Roadway Striping 2012

| <u>Item</u> | <u>Unit</u> | <u>Quantity</u> | <u>Traffic Marking Serv., Inc.</u> | | <u>AAA Striping</u> | | <u>Swanston Equipment</u> | |
|----------------------|-------------|-----------------|------------------------------------|--------------|---------------------|--------------|---------------------------|--------------|
| | | | <u>Bid</u> | <u>Total</u> | <u>Bid</u> | <u>Total</u> | <u>Bid</u> | <u>Total</u> |
| 4" Solid White Strip | LF | 1,779,341 | \$0.0400 | \$71,173.64 | \$0.0420 | \$74,732.32 | \$0.0450 | \$80,070.35 |
| 4" Yellow Stripe | LF | 1,283,748 | \$0.0390 | \$50,066.17 | \$0.0410 | \$52,633.67 | \$0.0460 | \$59,052.41 |
| | | | Total | \$121,239.81 | Total | \$127,365.99 | Total | \$139,122.75 |

M/S/P Gaalswyk, Kangas – To award the bid to the apparent low bidder (received on April 16, 2012) for Roadway Striping 2012 to Traffic Marking Serv., Inc. in the bid amount of \$121,239.81, and further to authorize the use of an additional \$41,000 for this purpose from the adopted 2012 Highway Department operating budget. Unanimous.

- 4A. Central Services Director Tim Richardson discussed the rolling file storage area used on a daily basis by District Court personnel currently located in the south Probation Department Office and adjacent vault. Mr. Richardson explained that the filing system occupies approximately 1/3 of that office space and the department needs more space for staff and private client interviews. Mr. Richardson explained that the Capital Improvement Plan included a potential \$60,000 project to move storage from Probation to new construction adjacent to the Law Enforcement Center. District Court Administrator Amy Turnquist explained that the Cass County District Court has been selected as an E-Filing pilot program site which will allow on a phased timetable basis electronic filing of Court documents and digitize existing records. Ms. Turnquist added that the project will start as early as July 2012 and estimates that the space in Probation will be vacated by Court Administration by the end of 2013. The Board expressed appreciation for participation in the pilot program.

County Attorney Christopher Strandlie noted an early estimate of \$17,000.00 for related County Attorney computer software alterations in 2012.

M/S/P Dowson, Gaalswyk – To table indefinitely the \$60,000.00 District Court storage project as contained in the 2012 Capital Improvement Plan. Unanimous.

- 4B. Mr. Richardson presented the Cass County Courthouse Campus Security Plan dated April 11, 2012. The plan included primary objectives, strategy to meet the objectives, and initial findings. Director Richardson requested Board action to maintain the Capital Improvement Plan budget of \$50,000.00 and to authorize solicitation of bids for consideration of upgrading existing cameras/monitors, securing the north stairway of the Courthouse, and expanding County Attorney and Court Administration lobbies. Mr. Richardson also reported security improvements (gate access, panic buttons, fire doors, lighting, and law enforcement presence) that will be considered within existing operating budgets or included in 2013 requests.

County Attorney Christopher Strandlie expressed the need for improved security measures for the general public, and staff. Mr. Strandlie also informed the Board that a recent change in State law (MN Statute 388.051) allows a County Attorney or an Assistant County Attorney to carry a firearm within a Courthouse while on duty. County Attorney Strandlie added that he has chosen not to exercise that option and has prohibited the possession of firearms under the new Statute at this time. Mr. Strandlie also noted the excellent cooperation with the Cass County Sheriff's Office.

M/S/P Downham, Kangas – To approve the Cass County Courthouse Campus Security Plan dated April 11, 2012 as presented, to direct staff to obtain competitive bids for Board review of the Capital Plan funded elements and to authorize staff to proceed with the remaining improvements within existing operating budgets or include in 2013 budget requests. Unanimous.

- 5A. Sheriff Tom Burch explained the offer of a donation from Jim Tuller – Swanson’s Bait, Hackensack, MN of a 1974 Madison 20’ pontoon boat & 22’ trailer for the Sheriff’s Office Boat & Water Division (estimated value of \$1,500.00).

M/S/P Gaalswyk, Downham – To accept a donation from Jim Tuller of Swanson’s Bait, Hackensack, MN of a 1974 Madison 20’ pontoon boat & 22’ trailer for the Sheriff’s Office Boat & Water Division (estimated value of \$1,500.00). Unanimous.

- 6A. Land Commissioner Josh Stevenson presented the Public Hearing Notice for the Land Exchange from Brad and Laura Zubke (Wilkinson Township - private land, public land - Leech Lake Township). (No one appeared to address the Board on the Land Exchange).

Commissioner Downham offered Resolution No. 27-12 and moved its adoption, and Commissioner Kangas seconded:

WHEREAS, the Cass County Board of Commissioners accepted the application of Brad and Laura Zubke for a Land Exchange and directed the Land Commissioner to make an appraisal of all lands involved in the Land Exchange, and:

WHEREAS, on March 20, 2012 the Cass County Board of Commissioners set a public hearing for April 17, 2012 at 10:00 A.M. to consider the proposed exchange of property described as follows:

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

WHEREAS the Cass County Board of Commissioners accepts the land values as presented by the Land Commissioner.

WHEREAS, the necessary reclassifications, appraisals, and hearing as required in M.S.A. 94.344 have been complied with no objections to this land exchange.

NOW, THEREFORE, BE IT RESOLVED, That the exchange as set forth in the list as posted in the Office of County Administrator is hereby recommended for approval to the Land Exchange Commission by the Board of Commissioners of Cass County.

Resolution No. 27-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 6B. Mr. Stevenson informed the Board of a request to enter into a lease agreement with MN DNR for the purpose of continued management for wildlife conservation and public recreation, as part of the Farnham Lake Wildlife Management Area located in Byron Township. The lease reflects a reduction in the size of the wildlife management area (WMA) and allows the DNR to post the boundary as a WMA, also reflects the permanent right of way easement needed to access the area and flow control structure. The DNR and Ducks Unlimited have made upgrades to the outlet management capabilities of the water control structure. The lease also authorizes snowmobile and OHV use on existing trails. Mr. Stevenson informed the Board of consent from Byron Township to enter into this agreement.

M/S/P Kangas, Downham – To approve a lease agreement with the MN DNR for part of the Farnham Lake Wildlife Management Area located in Byron Township for the purpose of wildlife conservation and public recreation. Unanimous.

- 6C. Land Commissioner Stevenson presented the Land Department's annual report for 2011 activities. The document will be used during the budget review process, natural resource advisory committee discussions, upcoming timber auctions, discussions with legislators, and hearings in St. Paul. We plan to continue Annual Reports into the future for reference to past activity. This document will be posted on the Cass County Website.

M/S/P Dowson, Kangas – To receive & file 2011 Land Department Annual Report as presented. Unanimous.

- 7A. ESD Director John Ringle presented the annual 2012 mobile collection program schedule at six locations around Cass County (Walker, Lakeshore, Longville, Remer, Outing, & Pillager). Items accepted for no charge to county residents include: Household Hazardous Waste: Paint and paint related materials, household cleaners and chemicals, old gasoline and certain other automotive products, caustic materials, pesticides and aerosol cans; Fluorescent bulbs: including compact fluorescents, all straight, round, u-shaped and other fluorescent and Hi- Intensity bulbs; E-waste: TV's, computers, monitors, printers and related computer equipment. Director Ringle also reported that the Sheriff's Department may choose to hold Pharmaceutical collections in conjunction with the HHW collections at selected locations.

M/S/P Kangas, Dowson – To receive & file the annual 2012 mobile collection program schedule and request a summary report upon conclusion of this year's program. Unanimous.

- 7B. Mr. Ringle presented a Conservation Fund #73 funding request of \$5,000 for the Outing storm water project that improves drainage on approximately 3.4 acres of impervious surface that flows directly to the Narrows of Roosevelt Lake. Mr. Ringle added that the project is a joint effort between MNDOT, Cass County, BWSR, and Crooked Lake Township. Total project cost estimate is \$20,000. County Engineer Enblom commented that additional storm water management will be considered as part of future County Road # 58 improvements.

M/S/P Peterson, Dowson – To approve participation in the Outing storm water project not to exceed \$5,000.00 from Conservation Fund #73. Unanimous.

- 7C. Director Ringle informed the Board that the Planning Commission will be reconvening the 1st hearing for revisions to the land use, subdivision, and definitions ordinances on Wednesday, May 16, 2012 beginning at 6:00 p.m. at the Cass County Land Building, Backus, MN. Mr. Ringle added that only minor changes have been made to the drafts discussed with the Board at the March 12, 2012 work session with the Planning Commission. Proposed updated language will be posted on Cass County Website. No action necessary.

- 8A. Post Commander Colonel Scott A. St. Sauver of Camp Ripley discussed the military mission and positive economic impact of Camp Ripley. Col. St. Sauver also presented upcoming events scheduled at Camp Ripley from May through September along with the cantonment area improvements, range & training area improvements, the Camp Ripley environmental program, partnerships with various conservation entities, animal surveys, community outreach, the prescribed fire program, and the Army Compatible Use Buffer Zone (ACUB) accomplishments from 2004 to 2011. The Board thanked Colonel St. Sauver for the update.

- 9A. Risk Management Consultant Bob Goede from the Minnesota Counties Intergovernmental Trust (MCIT) reviewed the annual 2011 MCIT members report. Mr. Goede informed the Board of the services that MCIT provides to Cass County and all MCIT members (81 Counties, and 386 other public entities). Claim trends and financial performance were also discussed. The Board thanked Mr. Goede for the update. No action necessary.

10. County Administrator Yochum confirmed the upcoming meeting schedule: Cass County EDC "State of the Cities" Membership Meeting, Thursday, April 26th at 4:00pm to 6:00pm at Riverside Assisted Living in Pillager, MN.

11. 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