

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
June 5, 2012**

1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, June 5, 2012, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Downham, Gaalswyk, Kangas, and Peterson. Commissioners absent: Dowson.

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
Sharon Anderson	Auditor-Treasurer	Chris Trout	Cass County 4-H
David Enblom	Highway Engineer	Kris Lyytinen	Highway Department
Josh Stevenson	Land Commissioner	Jamie Richter	HHVS
Kevin Lee	North Ambulance	Mark Peterson	Assessor
Katie Norby	Recorder	Tom Burch	Sheriff
Kerry Swenson	Sheriff's Office	Chris Strandlie	County Attorney
Melanie Wolfe	HHVS	Meri Lysne	Over the Hills Gang
Joan Downham	Self	Connor Minder	Self
Lehvi Minder	Minder party	Gail DeBoer	Pilot Independent
Monica Lundquist	Brainerd Dispatch	Allan Olson	Cass Lake Times

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

Approve - Board Minutes of May 15, 2012.

Approve - Auditor warrants dated May 10, 2012 in the amount of \$341,219.57.

Approve - Auditor warrants dated May 17, 2012 in the amount of \$1,181,755.50.

Approve - Auditor warrants dated May 24, 2012 in the amount of \$287,988.29.

Approve - HHVS Commissioner warrants dated May 18, 2012 in the amount of \$192,114.10.

Approve - HHVS Auditor warrants dated May 18, 2012 in the amount of \$62,533.66.

Approve - HHVS Auditor warrants dated May 23, 2012 in the amount of \$331.54.

Approve - Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of resignation of Melissa Stearns, County Agency Social Worker, grade 28, step 1, effective May 29, 2012, and receive & file the notice of intent to fill the budgeted County Agency Social Worker position vacated by Melissa Stearns, grade 28. 2. Receive & file - Notice of intent to fill the budgeted Public Health Nurse position vacated by Jeri Seegmiller, grade 32. 3. Approve Resolution No. 32-12 PERA Police Officer Declaration – Deputy Sheriff – Luke Rasmus.

Commissioner Gaalswyk offered Resolution No. 32-12 and moved its adoption, Commissioner Kangas seconded:  
WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permit governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners of Cass County hereby declares that the position of Deputy Sheriff, currently held by Luke Rasmus, meets all of the following Police and Fire Plan membership requirements:

Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;

Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;

Said position charges this employee with the prevention and detection of crime;

Said position gives this employee the full power of arrest; and

Said position is assigned to a designated police or sheriff's department.

BE IF FURTHER RESOLVED that this governing board hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan salary deduction by the governmental subdivision.  
Resolution No. 32-12 was adopted by majority vote: Ayes: Downham, Gaalswyk, Kangas, Peterson. Absent: Dowson. Nays: None.

4. Receive & file - Notice of appointment of Bradley Rittgers as Sergeant position grade 30, step 3, effective May 26, 2012.  
5. Authorize - Independent contract with student Taylor Knight as an intern to provide Geospacial analysis and mapping functions for the Clean Water Fund stormwater projects and the ESD Lake SSTS Inspection program at a grade 2 step 9 (\$12.07/hr.) effective May 14, 2012.

Approve Licenses – On Sale Intoxicating including Sunday - Huddle’s South Shore Resort - Huddle’s South Shore Resort, Inc., Pine Lake. Off Sale Intoxicating - DJ’s Liquor Outlet, Inc. - DJ’s Liquor Outlet, Inc., Powers; Y Bottle - TGL Corp., Shingobee; Hwy 371 Liquor Locker - Hwy 371 Liquor Locker, LLC. Powers. Gambling - Outing Gun Club, Village Inn Dining & Saloon, Crooked Lake, Raffles-November 3, 2012; Establish site change - Roosevelt and Lawrence Area Lakes Association (RALALA), Mary Kowalski, Crooked Lake to The Village Inn, Outing, MN previous site for raffle on September 1, 2012 has closed (The Narrows Bar & Grill - previously approved on April 17, 2012).

Approve - Pay requests for Cass County ARMER Project to On Target Training & Consulting. -PSAP Training-\$3,240.35; Call One Inc.-ARMER –Dispatch Headsets - \$607.84; Motorola Solutions Inc. –ARMER Project - \$128,839.68;MidStates Wireless – Radio Installs - \$791.23;DSC Communications – ARMER Project - \$313.03.

Approve - Resolution No. 33-12 on GIA Trail assistance for 2012-2013 for Cass County Ski Trails; Snowmobile & All-Terrain Vehicles.

Commissioner Gaalswyk offered Resolution No. 33-12 and moved its adoption, Commissioner Kangas seconded:  
BE IT RESOLVED, that Board of Commissioner of Cass County, Minnesota, hereby approved applications for the 2012-2013 grant-in-aid assistance for:

Cass County Ski Trails

- Hiram
- Washburn Lake
- Goose Lake
- Cut Lake

Snowmobile Trails

- Arctic
- Paul Bunyan
- Aspen
- Pipeline
- Brush Pilots
- Snoway 1
- Chippewa
- Snowsnake
- Eagle Country
- Soo Line
- Heartland
- Triville
- Hiram
- Winnie Loop
- Lost Girl
- Wood Lake
- Wadena Trail Breakers

All-Terrain Vehicle

- Soo Line

Resolution No. 33-12 was adopted by majority vote: Ayes: Downham, Gaalswyk, Kangas, Peterson. Absent: Dowson. Nays: None.

Approve - Cass County HHVS Debt write off list from May 1, 2011 to Apr. 30, 2012 in the amount of \$2,466.98.

Approve - Cass County Fee Schedule increase of HHVS Child and Teen checkup screening from \$258.00 to \$264.00, and fee increase of HHVS Early Childhood Screening daily charge from \$358.00 to \$388.00.

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

Approve - Out-of-state travel to Fargo, ND for Kathy Ramos, Veterans Services Officer and/or Dan McMahon on a quarterly basis, through the remainder of 2012, to attend meetings for the NW District of the Minnesota Association of Veteran Service Officers.

Receive & file - 2011 Audit for Central MN Emergency Medical Services Region.

Authorize - Board Chair to execute 2011 audit engagement letter with the Office of the State Auditor.

Accept - Donation in the amount of \$2,000.00 from Turtle Lake Township for the Cass County Sheriff’s Office - Lakes Area Dive Team.

Approve - Submission of Toward Zero Death Grant in the amount of \$53,000.00 from MN Dept. of Public Safety - Resolution No. 34-12 from October 1, 2012 through September 30, 2014, and authorize Lt. Shift Commander Scott Thompson to execute such agreements and amendments.

Commissioner Gaalswyk offered Resolution No. 34-12 and moved its adoption, Commissioner Kangas seconded:

Be it resolved that the Cass County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety enforcement projects entitled Toward Zero Death grant agreement during the period from October 1, 2012 through September 30, 2014.

The Lieutenant L. Scott Thompson of Cass County is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Cass County Sheriff's Office.

Be it further resolved that the Cass County Sheriff's Office designated Administrative Assistant is hereby authorized to be the fiscal agent and administer this grant on behalf of the Cass County Sheriff's Office.

Resolution No. 34-12 was adopted by majority vote: Ayes: Downham, Gaalswyk, Kangas, Peterson. Absent: Dowson. Nays: None.

Appoint - Commissioner Gaalswyk to the Greater Minnesota Advisory Panel.

Approve - Amendment to Kristi Lind Wheatley (Mental Health Services of Bemidji) contract from \$125.00 to \$160.00.

Approve - Assessor's Office Abatements.

Tax Year	Name	Location	Parcel ID	Action	Current	Proposed
2012	Margaret Gordon	Shingobee Township	38-122-3204	Class Change Tax Impact	Res Non-Hmstd/Comm'l \$1,512	Res Homestead/Comm'l \$1,390
2012	Lorraine/Ronald Cervenka	Bena City		83-337-6011 Seasonal Commercial Total Value Tax Impact	Value Reduction (split class) \$28,300 51,200 \$79,500 \$1,524	\$40,800 28,400 \$69,200 \$1,120
2012	Dale Jones	Leech Lake Township	20-909-4343	Personal Property (Travel Trailer) Value Reduction Tax Impact	\$7,500 Personal Property – Manufactured Home	\$1,500

statements calculated & mailed no later than July 15<sup>th</sup> (usually late June).

Approve - 33' easement to Marion III and Christina Linn for access to PID #06-035-2100 located in 35-139-28. (Blind Lake Township).

Approve - Updated Farnham Lake WMA Lease agreement that will satisfy LSOHC funding restrictions.

Approve - Timber auction results of May 31, 2012 totaling 6,296.00 cords plus 15.40mbf saw timber totaling \$188,375.00.

- 3A. University of MN Extension Service Cass County 4-H Program Coordinator Chris Trout presented a draft copy of the 2012 Cass County Plat Book, with final version being printed by the end of June. Ms Trout also confirmed that she is resigning from her position as 4-H Coordinator at the end of August to continue her education. The Board thanked Ms. Trout of her years of service and building up the Cass County 4-H Program. No action necessary.
- 4A. Auditor-Treasurer Sharon Anderson updated the Board on the MCIS Board strategic planning initiatives to "Modernize" the Property Tax, CAMA, and Payroll systems developed by MCIS. The estimated cost is approximately \$604,000, which would be spent over three (3) years starting in 2013. Ms. Anderson presented the proposed allocation assumptions with option 1. To pay-in-full up front amount would be \$50,835, with payment being received in the 1<sup>st</sup> quarter of 2013, and option 2. To pay yearly installments over 3 years at \$16,945 per year in December 2012, 2013, and 2014 with payment being received in the 1<sup>st</sup> quarter of the next year.

M/S/P Downham, Kangas – To approve Cass County's participation in the "MCIS modernization project" up to \$50,835.00 upon confirmation of all other member Counties commitment and approve the source of funds as the 2013 Auditor-Treasurer's budget for payment in the 1<sup>st</sup> quarter of 2013. Unanimous.

- 4B. Ms. Anderson discussed the coordination of transient merchant licensing with municipalities and explained the option under MN Statutes Chapter 329 to exempt certain classes of transient merchant events by action of the governing body. The transient merchant license itself is an administrative license that does not require county board approval under Section 329.11. Ms. Anderson presented Resolution No. 35-12 for consideration.

Commissioner Gaaslywk offered Resolution No. 35-12 and moved its adoption, Commissioner Kangas seconded:

#### Transient Merchant License Coordination

WHEREAS, Minnesota Statutes Chapter 329 regulates the licensing requirements for transient merchants as defined therein that are doing business in the state of Minnesota, generally requiring a bond and an annual license application to the county auditor of each county in which the desired business is to be conducted under §329.11, and

WHEREAS, Minnesota Statutes §329.15 affirms that municipalities or other governmental subdivisions of the state may also regulate or license transient merchants, and that cities and counties may exclude certain classes of transient merchant events from complying with Minnesota Statutes §329.11.

THEREFORE BE IT RESOLVED that the Cass County Board of Commissioners hereby excludes the following classes of transient merchant events from compliance with Minnesota Statutes §329.11:

1. Events held in conjunction with or as a part of community festivals or fairs, and
2. Transient merchant events that are regulated and/or licensed within the corporate limits of a municipality by ordinance.

BE IT FURTHER RESOLVED that the Cass County Auditor-Treasurer will communicate with and coordinate transient merchant licensing pursuant to this resolution with municipalities in Cass County in the best interests of the public and in cooperation with municipal authorities to provide an efficient, fair and responsible process for transient merchant businesses operating in Cass County.

Resolution No. 35-12 was adopted by majority vote: Ayes: Downham, Gaalswyk, Kangas, Peterson. Absent: Dowson. Nays: None.

- 5A. Highway Engineer Dave Enblom requested the Board to consider the purchase of Lot 4 Block 1 in Berndt's River Shores in the City of Pillager for construction of a storm sewer out fall as well as a future Camp Ripley Veterans Trail amenity area. The necessary storm sewer easement has been appraised at \$15,000; the owner the property has a proposed price of \$39,900.00. The present county appraised value for tax purposes is \$64,000. Mr. Enblom also presented correspondence from the City of Pillager in favor of the sale of property.

M/S/P Gaalswyk, Downham – To authorize the purchase of Lot 4 Block 1 in Berndt's River Shores, Pillager, MN in the amount of \$39,900.00 for the construction of a storm sewer out fall and a future Camp Ripley Veterans Trail amenity area and further to commit Conservation Fund #73 funds in the amount of \$24,900.00 towards the sale. Unanimous.

- 5B. Kris Lyytinen reported to the Board regarding Memorial Day high water road damage in fourteen various locations throughout the southern part of Cass County including: CSAH 30 - Water over road at 2 locations-Gravel loss & sinkhole at culvert; C.R. 106 - Water over road at 5 locations –Gravel loss & sinkhole at culvert; CSAH 33 - Driveway culvert washout due to excess water and utility line; C.R. 102 - Water over driveways and roadway-Gravel loss; CSAH 35 - Water over roadway at 2 locations –Gravel loss; C.R. 103 - Water over roadway at 6 locations –Gravel loss & culvert washing; C.R. 103- Bridge overtopping-significant washout of abutment; CSAH24 - Culvert / Pavement damage; CSAH 17 - Water over roadway- Culvert and shoulder sinkhole; CSAH29 - Significant washing and some pavement damage at 2 culvert locations; CSAH 1 - Water over road for mile –Significant shoulder loss; C.R. 107 - Water over roadway at 6 locations-Gravel loss; C.R. 107 - Significant washout of culverts –Roadway closed (est. 1000 cu.yd to fill); CSAH 58 - Water over road at 6 locations –Gravel loss. Mr. Lyytinen reported that a working estimate of damages will total \$250,000.00. Mr. Lyytinen commented that all roads as of Monday were open except for C.R. 107 at the Home Brook Creek. The Board thanked Mr. Lyytinen for the update and the excellent emergency response from the Highway Department.
- 6A. Kevin Lee of North Memorial Ambulance presented the first quarter 2012 report for the Longville Ambulance Subordinate Service District (LASSD). 51 patients were transported or billed, revenues were \$18,300 over budget due to increased run volume, revenue deductions were 59.6%, total expenses were \$760.00 over budget due to fuel costs, and margin was 8.3%, Mr. Lee also discussed community involvement including: Cass County EMS Task Force, County ARMER meetings, rescue training with the Longville Fire Department, and continue a great working relationship with the local First Responder groups. The Board thanked Mr. Lee for the update.

- 7A. Director of Public Health Nursing Jamie Richter discussed the several competing discount programs for prescription drugs and dental services. Currently Cass County uses the TWRx/Pro Act prescription drug program that also includes a dental plan. Ms. Richter presented a side by side comparison of the TWRx/Pro Act plan with the AMC endorsed plan of Coast2Coast Rx Card. In addition Ms. Richter explained the NACo endorsed dental discount program and the County efforts to work with participating providers. No action necessary at this time.
- 7B. Ms. Richter presented an update on the Community Transformation Grant funds from the MN Department of Health that uses the existing structure and capacity of the Statewide Health Improvement Program (SHIP) to implement programs to improve nutrition, increase physical activity, and decrease exposure to tobacco. The SHIP health improvement activities in local communities are designed to building on strengths, minimize duplication of efforts and maximize impact. Ms. Richter added that the Counties of Morrison, Todd, Wadena, and Cass are partnering with the Leech Lake Tribal Community which represent two of the five current SHIP grantees representing a large region of Northern Minnesota. No action necessary.
- 8A. Land Commissioner Josh Stevenson informed the Board of interest from a private land owner in the acquisition of 164 acres of tax forfeit property in Section 14 of Walden Township. The 164 acres contain about 40 acres of combined timber land, which the property borders existing County land but is separated by a large wetland complex. The Natural Resource Advisory Committee has recommended the County pursue the sale of the property, and that Walden Township will be notified prior to the sale. Mr. Stevenson also reported that a January 27, 1981 County Board Resolution (No. 770-81) set aside this property with other property in Sections 13 and 14 of Walden Township restricting it from sale as there may be granular material suitable for road construction in the area. Mr. Stevenson informed the Board that the Highway Department agrees that there are no significant granular materials located on the property proposed for a land sale.

M/S/P Downham, Kangas – To authorize the sale of tax forfeit lands located in Section 14 of Walden Township at public auction in 2013 following all State of MN Statutes as required. Unanimous.

- 8B. Mr. Stevenson informed the Board that the Land Department has been working with the Over the Hills Gang to put together a revised ATV Grant In Aid Application to the MNDNR. The club has been working with local units of government and other agencies to complete the application, and have also contacted numerous private property owners regarding the proposal. The club has revised the proposal based on input from private property owners, Townships, and the MNDNR funding available. The plan has been reduced from 80 miles to 56 miles in the Cass County Townships of Beulah, Crooked Lake, Thunder Lake, Smoky Hollow, and Emily Township in Crow Wing County. The new alignment requires only 2 private parcels, which have provided written permission, to complete the system and has reduced the price from \$53,000 to \$22,000 eliminating the need for a Conservation Fund #73 match.

M/S/P Peterson, Kangas – To approve the Cass County sponsorship of the Over the Hills Gang ATV Grant-In-Aid Application in the amount of \$22,000.00 and further, to authorize the Cass County Land Department to submit the revised OHV Trails Assistance Program application of 56 miles to the MNDNR. Unanimous.

- 8C. Mr. Stevenson reported to the Board on recent Mr. Stevenson reported to the Board on recent communication with a township official and private land owners regarding granular material located on county administered and private lands. Added that the MNDNR, Division of Land and Minerals has a LCCMR proposal in which one more county is needed to participate in an aggregate study to create resource maps. The Cass County Land Department in cooperation with the Cass County Highway Department believes this is an excellent opportunity for Cass County to have aggregate resources mapped with significant cost savings by collaborating effects with the MNDNR. Mr. Stevenson presented Resolution No. 36-12 MNDNR, Division of Land and Minerals - LCCMR proposal to conduct an Aggregate Resource Study.

Commissioner Downham offered Resolution No. 36-12 and moved its adoption, Commissioner Kangas seconded:  
Whereas, Cass County desires information relating to the location, amount and quality of its aggregate resources; and  
Whereas, An Aggregate Resource Study would assist both county administered and private land use decisions and help ensure continued aggregate resources for affordable county forest access roads, highway development coordinated with the Cass County Highway Engineer, and maintenance projects; and  
Whereas, the Cass County Land Department has allocated Forest Development funds up to \$10,000 to match funds needed to complete the project; and  
Whereas, Cass County will facilitate public meetings with the Minnesota Department of Natural Resources, Division of Lands and Minerals, to present finding to both the public and organized township officials when the study is completed;  
Now, Therefore, Be it Resolved, that the Cass County Board of Commissioners hereby requests the Minnesota Department of Natural Resources, Division of Lands and Minerals, conduct an Aggregate Resource Study as authorized by Minnesota Statutes 84.94.

Resolution No. 36-12 was adopted by majority vote: Ayes: Downham, Gaalswyk, Kangas, Peterson. Absent: Dowson. Nays: None.

- 8D. Mr. Stevenson informed the Board of recent communications with other county land departments regarding increased efficiencies between county operations including lower costs, less government meetings, and better service to the public as a result of projects completed in cooperation with neighboring counties. A 5 County Forest Certification group that includes Beltrami, Carlton, Clearwater, Crow Wing, and Koochiching Counties has invited Cass and other counties to explore options related to larger Group Forest Certification.

M/S/P Downham, Gaalswyk – To authorize the Cass County Land Department to explore a larger group Forest Certification with other counties and further, to report back to the Board. Unanimous.

- 9A. Sheriff Tom Burch presented an update from the Tuesday April 17, 2012 Board action to obtain competitive bids to replace all security cameras, digital recording system for storing and retrieving video, and monitors installed at entries not to exceed \$30,000.00. County Administrator Yochum reported receipt of two competitive quotes from two bidders.

M/S/P Gaalswyk, Downham – To authorize the Central Services Director to select the vendor from the two bidders to replace all security cameras, digital recording system for storing and retrieving video, and monitors installed at entries not to exceed \$30,000.00. Unanimous.

- 9B. Sheriff Burch presented the aquatic invasive species boat key chain to the Board and being distributed to area lake associations to alert area residents of the aquatic invasive species on the need to clean visible aquatic plants, zebra mussels, and other prohibited species off of watercraft, trailers and equipment before transporting from any water access. Also informed the Board of donations in the amount of \$350.00 towards the printing of the laminated boat key chain, and requested Board approval to utilize up to \$1,000.00 of the Conservation Fund #73 towards the printing of the key chain.

M/S/P Kangas, Gaalswyk – To accept the estimated donations in the amount of \$350.00 for aquatic invasive species key chain and further to authorize utilizing up to \$1,000.00 of Conservation Fund #73 as presented. Unanimous.

- 9C. EMS Coordinator Kerry Swenson presented an ARMER update including pending grants from the State of MN Equipment Grant in the amount of \$302,490.00 and the Microwave Grant in the amount of \$125,000.00. Mr. Swenson also requested approval of Motorola Change Order's #2(No dollar amount redirecting equipment to DSC Communications), #3 (Replace existing channel band cards that are not compatible to the ARMER System in the amount of \$7,682.00 with no dollar amount) and #5(Credit costs for transferring ARMER equipment to North Memorial Ambulance Service in the amount of deduct amount of \$89,236.05 to Cass County).

M/S/P Downham, Kangas – To receive & file the ARMER Project Budget update in the estimated project closeout of \$3,5000,000.00 and further, to approve Motorola Change Order's #2 (No dollar amount redirecting equipment to DSC Communications), #3 (Replace existing channel band cards that are not compatible to the ARMER System in the add amount of \$7,682.00) and #5 (Credit costs for transferring ARMER equipment to North Memorial Ambulance Service in the deduct amount of \$89,236.05). Unanimous.

10. County Administrator Yochum confirmed the upcoming meeting schedule: a. Board of Equalization - Monday, June 11, 2012, beginning at 2:00 p.m., in the Commissioners Board Room on the first floor of the Courthouse, Walker, MN. b. County Board Meeting in Commissioner District #5, Tuesday, June 19, 2012, 6:00 p.m. at Cass Lake City Hall, 330 Second St NW, Cass Lake, MN. c. 2012 Planning Retreat for Friday, June 22, 2012 beginning at 9:00 a.m., Land Department Meeting Room, 218 Washburn Avenue East, Backus, MN. d. Cass County Land Sale –Saturday, June 23, 2012, beginning at 9:00 a.m., in the Commissioners Board Room on the first floor of the Courthouse, Walker, MN.

11. Chairman Peterson adjourned the meeting at 11:03 A.M.

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

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