

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
August 21, 2012**

1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 6:00 p.m. on Tuesday, August 21, 2012, with the flag pledge, at the Becker Township Hall, 11066 County 32 SW, Motley, MN. Commissioners present: Downham, Dowson, Kangas, and Peterson. Commissioners absent: Gaalswyk.

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
Dave Enblom	Highway Engineer	Laura Hadrava	Highway Dept.
John Ringle	ESD Director	Brian Welk	Sheriff's Office
Tom Burch	Sheriff	Josh Stevenson	Land Commissioner
Paul Gazelka	State Senator Dist. #12.	Gary Pearson	North Ambulance
Kevin Lee	North Ambulance	Lori Dowling	DNR NW Reg. Director
Dave Thomas	MN DNR – Forestry	Clark Camilli	R.D. Ofut – Winnemucca Farms
Larry Adams	Byron Twp.	Mark Anderson	Candidate for House District 9A
Don Anderson	Old Senator from Wadena	Gail DeBoer	Pilot Independent
Monica Lundquist	Brainerd Dispatch		

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 Kangas, Dowson – To waive reading and approve the consent agenda. Unanimous.

Approve - Regular Board minutes of August 7, 2012.

Approve - Auditor Manual Warrants dated July, 2012 in the amount of \$2,899,974.06.

Approve - Auditor Warrants dated July 31, 2012 in the amount of \$1,078.00.

Approve - Auditor Warrants dated August 2, 2012 in the amount of \$418,088.01.

Approve - Auditor Warrants dated August 9, 2012 in the amount of \$405,860.79.

Receive & file - Monthly Budget Reports.

Approve - HHVS Auditor Warrants dated July 31, 2012 in the amount of \$523.00.

Approve - HHVS Commissioners Warrants dated August 10, 2012 in the amount of \$97,761.23.

Approve - HHVS Auditor Warrants dated August 10, 2012 in the amount of \$127,109.00.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of resignation of Karyn Flesch, County Agency Social Worker, grade 28, effective August 06, 2012, and Receive & file - Notice of intent to fill budgeted County Agency Social Worker position vacated by Karyn Flesch. 2. Receive & file - Notice of intent to fill budgeted Public Health Nurse position at a 1.0 FTE, vacated by Janna Wolter, grade 32 (.8FTE). B. Positions scheduled for no replacement at this time: None. C. Other: 1. Authorize - Grade rating evaluation submission to Public Employment HR Consulting (PEHRC) for Cass County Health, Human and Veterans Services – Case Aide - IMU.

Approve licenses – Gambling - Deep Portage Chapter- Ruffed Grouse Society @ Deep Portage - Jerry Lamon, Woodrow Twsp.

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

Approve - Pay request for Cass County ARMER Project-DSC Communications, Inc. in the amount of \$8,112.09; Olson Electric in the amount of \$769.41; Keller Fence Company, Ice Bridge at Walker & Pillager in the amount of \$2,220.00.

Accept – Donations to Sheriff's Office: \$500.00, Birch Lake Township for Lakes Area Dive Team; \$500.00, Cass County Association of Township Officers for ACCLA invasive species boating cards.

Approve - Northland Counseling Center, Inc. contract amendment from \$5,000.00 to not to exceed \$2,000.00.

<u>Bidder</u>	<u>Contract price per mo.</u>	<u>Burnishing floors</u>	<u>Carpet cleaning</u>	<u>Windows</u>	<u>Ceramic Tile & Grout</u>	<u>Light fixtures</u>
Marsden Bldg. Maint., LLC	\$2,305.00	Machine Scrub4x/yr.	1X/yr.all 1X/yr. traffic areas		N/A	N/A
Ultimate Cleaning Team	\$4,500.00		\$400/ea.time	\$500exterior \$500 interior	N/A	N/A

M/S/P Kangas, Dowson – To award a contract to the apparent low bidder for cleaning HHVS Office Building to Marsden Bldg. Maintenance, LLC not to exceed \$2,305.00 per month. Unanimous.

Receive & file - Correspondence from PRASD, MN Public Facilities Authority Loan Repayment in the amount of \$41,668.38.

Approve - Acceptance of Juvenile Accountability Block Grant #71-256-5403 in the amount of \$7,300.00 (Probation Office).

Approve - Out of state travel, Pat Bundy and Scott Noland attendance to 2012 Upper Midwest Invasive Species Conference, La Crosse, WI on October 29-31, 2012.

Approve – request from MNDNR for permission to burn lands administered by County - part of the Leech River Oak Planting Project approved by County Board on April 4, 2012.

Receive & file - Cities of Cass Lake, Hackensack, Pillager, Pine River, & Walker - Annual Disclosure of Tax Increments year ending Dec. 31, 2011.

Receive & file - STS quarterly report (total agency hours worked = 2,272) from April 1, 2012 through June 30, 2012.

Approve - Transfer of funds from Unorganized Twp. to Highway Dept. in the amount of \$62,240.06 for road maintenance for Jan. 2012, through July 2012.

Receive & file - OSHA Inspections results – Highway (No findings), HHVS (No findings) Courthouse, Annex & LEC (authorize expedited payment to OSHA per settlement agreement in the amount of \$1,960.00).

- 2B. Administrator Yochum reported on the Citizen Budget Committee Meeting of Tuesday, August 14, 2012. Mr. Yochum explained that the federal COPS grant would provide \$250,000 for two additional deputies over the next three years, and Cass County's required match is estimated to be \$416,000.00 for officer's salary plus another \$84,000.00 for cost of equipment. Sheriff Burch commented on the need for additional law enforcement, additional conditions of the grant, and that his Office would respect the decision of the Board.

M/S/P Dowson, Downham – To approve the recommendation of the Citizen Budget Committee that the COPS grant be respectfully declined and that additional staffing be focused on increased investigation capacity. Unanimous.

- 2C. Sheriff Tom Burch informed the Board that the current K-9 (Portos) is 9 years old and will be retiring as of December 31, 2012. Mr. Burch requested Board action to use grant funds in the amount of \$13,500.00 from the George W. Neilson Foundation to purchase a replacement K-9. Mr. Burch also informed the Board of receipt of a price quote from Performance Kennels Inc. to purchase a K-9 dog named Yankee in the amount of \$11,500.00. The remaining \$2,000.00 in donated funds will be used for training expenses.

M/S/P Dowson, Kangas – To approve utilizing donated funds from the George W. Neilson Foundation in the amount of \$11,500.00 for the purchase of a Cass County K-9 (Yankee) from Performance Kennels Inc. in the amount of \$11,500.00, and authorize the remaining \$2,000.00 in donated funds for training expenses, and further to donate Cass County K-9 Portos upon his retirement to Deputy Bill Conner at no cost. Unanimous.

- 3A. State Senator Paul Gazelka (District 12) introduced himself to the Board. Senator Gazelka was elected to the House in 2004 and the Senate in 2010. Mr. Gazelka is an Assistant Majority Leader and has served as on the following committees: Commerce and Consumer Protection Committee, Environmental and Natural Resources, State Government Innovation and Veterans Affairs, and Transportation. The Board requested support for the ARMER sales tax exemption bill and thanked State Senator Gazelka for attending the meeting.

- 4A. Clark Camilli of R.D.Offutt and Winnemucca Farms discussed the recent purchase of 1,400 acres of former Potlatch property in Byron Township. Mr. Camilli described the operating plans for potato seed production on approximately 1,000 acres of tillable land beginning in 2013. ESD Director John Ringle explained that Cass County will be working with Winnemucca Farms as the designated local regulatory unit of governmental under State environmental quality rules. No action necessary.

- 4B. Mr. Ringle reported on the offer of the Region Five Development Commission to assist Cass County in expansion of the SSTS loan program utilizing BWSR funds. State funds in the amount of \$20,000.00 could provide partial loan assistance to low income landowners to replace failed septic systems under the existing Region Five SSTS loan program.

M/S/P Kangas, Downham – To authorize the Region Five Development Commission to administer a partial loan assistance program utilizing BWSR funds to low income landowners to replace failed septic systems under the existing Region Five SSTS loan program. Unanimous.

- 4C. Mr. Ringle informed the Board that the Cass County Planning Commission will be reviewing the Land Use Ordinance revisions during their regular scheduled meeting on Monday, September 10, 2012. Following that discussion the revisions will be referred to the Cass County Board for scheduling a second reading/public hearing for possible adoption. Mr. Ringle added that the Land Use Ordinance revisions are posted on the Cass County website. No action taken.
- 5A. Kevin Lee and Gary Pearson of North Memorial Ambulance presented the 2nd quarter report of the Longville Ambulance Subordinate Service District. Paramedic coverage was provided each day, and that the LASSD is licensed as a part time ALS Service. 111 patients were transported and Mr. Lee commented that revenues were \$3,075 over budget due to increased run volume producing an operating margin of +10.3%. Mr. Lee also noted that \$72,300 in capital improvements were made during the second quarter including the purchase of 2 new Lifepack 15 monitors, 2 AVL units with Toughbook Computers, and 1 Lucas Automatic CPR Device. Mr. Pearson discussed the air ambulance support provided by North Memorial. The Board complimented Mr. Lee and Mr. Pearson on the services provided.
- 6A. MN Department of Natural Resources Regional Director Lori Dowling and Dave Thomas Forestry Division Regional Manager informed the Board that the Nature Conservancy (TNC) has proposed a fee simple donation to DNR of approximately 2,751 acres of forest land in Cass County's Trelipe Township. TNC acquired the land from Potlatch Corporation on May 23, 2012. TNC intends to access State of Minnesota Reinvest in Minnesota (RIM) credits through this donation. The property contains productive hardwood timber, extensive pine plantations and some natural pine stands. There is also a grant-in-aid snowmobile trail through the property as well as several thousand feet of lakeshore. Director Dowling explained related discussions to date with Cass County, Trelipe Township, and requested a resolution of support for the project.

Commissioner Dowson offered Resolution No. 45-12 and moved its adoption, Commissioner Downham seconded:

Resolution Supporting the Camp Lake Project

Whereas, The Nature Conservancy joined forces with the Blandin Foundation and other partners to create the Minnesota Forest Legacy Partnership which has supported forest land protection throughout the Northwoods and is directly responsible for the Camp Lake Project, and

Whereas, there have been extensive discussions over the past 8 months between TNC, DNR and Cass County regarding this acquisition and the ultimate disposition of the property, and

Whereas, all parties agree that this land is well suited for public ownership due to the surrounding public ownership adjacency, and

Whereas, the property has long been managed by Potlatch as a working forest and is of sufficient size to be managed as a unit of the State Forest system, and

Whereas, recreation is an important issue and DNR has committed to local residents improved access to hunting, trapping, forest roads, and Camp Lake, and

Whereas, DNR continues to be open to the exchange of DNR managed property with Cass County managed property to provide mutual operating efficiencies.

Now therefore, the Cass County Board of Commissioners supports the DNR acceptance of a donation from The Nature Conservancy of 2,751 acres of forest land located in Trelipe Township known as the Camp Lake Project.

Resolution No. 45-12 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Gaalswyk.

7A. Land Commissioner Josh Stevenson presented an agreement with FSC/SmartWood. The agreement serves as a contract between Cass County and FSC/Smartwood to conduct the 2012 annual audit in the amount of \$7,752.00.

M/S/P Downham, Dowson – To approve the 2012 FSC/SmartWood audit agreement as presented in the amount of \$7,752.00. Unanimous.

7B. Mr. Stevenson presented an update on completed work associated with the USFS and the Conservation Corps MN to complete the Conservation Partners Legacy Grant in the Silver and Carnahan Lake area. The project was to plant red and white pine on 92 acres of County and USFS lands, included were deer enclosures, bud capping and information signage located north of County Road #5 on County Administered land in Section 30 of Kego Township. The project has been completed within the timeframe expected and is 11% under budget, Mr. Stevenson added that the remainder of the funds go back to the LSOHC (Legacy Funds). No action necessary.

7C. Mr. Stevenson reported that Cass County has been invited to testify at the Lessard Sams Outdoor Heritage Council hearing on the acquisition of forest habitat lands on Thursday, September 6, 2012. No action necessary.

8A. Construction/Design Engineer Laura Hadrava presented bids opened on August 16, 2012 at 1:30 PM for the CP 2007-161 CR 161 Pug Hole Lake Erosion Control Project; SAP 011-598-005 bridge project on CR 120; SAP 011-598-006 culvert on CR 147; and SAP 011-599-014 bridge on Wilson Township Road 118.

CR 161 Erosion Control– Pug Hole Lake- Project No.:CP2007-1
Engineers Estimate: \$153,743.50

<u>Bidder</u>	<u>Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Anderson Brothers	\$167,696.08	9.08% Over Estimate
Casper Construction, Inc.	\$172,000.00	11.87% Over Estimate
Gladen Construction	\$173,794.00	13.04% Over Estimate
Dechantal Excavating	\$174,835.45	13.72% Over Estimate
Young Excavating Inc.	\$177,162.04	15.23% Over Estimate
Pugh Brothers, Inc.	\$189,946.00	23.55% Over Estimate

CR 120 Replace Bridge No.88247- Project No.: SAP 011-598-005
Engineers Estimate \$412,040.55

<u>Bidder</u>	<u>Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Gerit Hanson Contracting	\$491,462.00	19.28% Over Estimate
Structural Specialties, Inc.	\$518,296.15	25.79% Over Estimate
Robert R. Schroeder Constr.Inc.	\$559,911.40	35.89% Over Estimate
Swingen Construction Company	\$884,989.80	114.78% Over Estimate

CR 147 Replace Bridge No. 88248 - Project No.: SAP 011-598-006
Engineers Estimate \$366,529.50

<u>Bidder</u>	<u>Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Reierson Construction	\$377,568.80	3.01% Over Estimate
Young Excavating Inc.	\$392,782.40	7.16% Over Estimate
Gladen Construction	\$428,102.50	16.80% Over Estimate
Anderson Contracting, Inc.	\$434,376.76	18.51% Over Estimate

Twp. Rd. 118 Replace Bridge No. 1847 - Project No.: SAP 011-599-014
Engineers Estimate \$443,961.00

<u>Bidder</u>	<u>Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Structural Specialties, Inc.	\$410,928.92	7.44% Under Estimate
Gerit Hanson Contracting	\$422,341.25	4.87% Under Estimate
Redstone Construction Co., Inc.	\$448,661.35	1.06% Over Estimate
Swingen Construction Company	\$479,886.70	8.09% Over Estimate
Robert R. Schroeder Const., Inc.	\$503,554.25	13.42% Over Estimate

M/S/P Downham, Kangas - To award the bid for CP 2007-161 CR 161 Pug Hole Lake Erosion Control Project to the apparent low bidder - Anderson Brothers in the bid amount of \$167,696.08; SAP 011-598-005 bridge project on CR 120 to the apparent low bidder - Gerit Hanson Contracting in the bid amount of \$491,462.00 (contingent upon MnDOT approval); SAP 011-598-006 culvert on CR 147 to the apparent low bidder - Reiersen Construction in the bid amount of \$377,568.80 (contingent upon MnDOT approval); and SAP 011-599-014 bridge on Wilson Township Road 118 to the apparent low bidder - Structural Specialties, Inc. in the bid amount of \$410,928.92 (contingent upon Wilson Township approval). Unanimous.

- 8B. Mr. Enblom updated the Board on the final certification on Shingobee Trail Project – Phase III which is a 1.6 mile continuation of the trail from Intersection of Hwys. 200/371 and County Road #163 along the shoulder of Hwys. 200/371 to the trail head just east of Shingobee Bay. The funds utilized were Federal funds(\$251,000.00), State bonds(\$500,000.00), DNR Trail Grants(\$150,000.00), Shingobee Township local match(\$36,774.00), and Cass County Conservation Fund #73(\$121,581.00). Mr. Enblom informed the Board that the project came in under budget and the extra Conservation Fund #73 dollars (\$42,000.00) will be moved to phases 4 & 5 of the Shingobee Trail Project.

M/S/P Dowson, Downham – To approve the final certification of the Shingobee Trail project through Phase III of the project at cost of \$951,411.52. Unanimous.

9. County Administrator Yochum confirmed the upcoming meeting schedule: a. Cass County Surplus Auction – Saturday, September 8, 2012, 10:00 a.m. Cass County Highway Department, 8045 County 12 NW, Walker, MN.
10. Mark Anderson a candidate for State Representative District 9A introduced himself to the Board. State Representative District 9A encompasses portions of Cass, Todd and Wadena Counties. Mr. Anderson is an aviation pilot, a business owner and lives in the City of Lake Shore area. The Board thanked Mr. Anderson for attending.

Chairman Peterson adjourned the meeting at 7:30 P.M.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator