

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
November 27, 2012**

- 1A. Chairman Peterson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, November 27, 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 |
| John Ringle | ESD Director | Paul Fairbanks | Solid Waste Ofcr./County Planner |
| Susan Sundberg | Planning Commission | Josh Stevenson | Land Commissioner |
| Kevin Lee | LASSD | Gary Pearson | North Memorial Ambulance |
| Roger Sundberg | Self | Tom Burch | Sheriff |
| Kerry Swenson | Emergency Services | Reno Wells | HHVS Director |
| Michele Piprude | HHVS | Melanie Wolfe | HHVS |
| Dave Enblom | Highway Engineer | Kris Lyytinen | Highway Department |
| Terri Wickham | City of Pillager | Jan Loftis | City of Pillager |
| Phil Martin | Bolton & Menk, Inc. | Gail DeBoer | Pilot Independent |
| Monica Lundquist | Brainerd Dispatch | | |

- 1B. M/S/P Kangas, Downham – To approve the agenda items for discussion as presented and the addition of Item 3B. (Additional Land Use Ordinance amendments), Item 9B. (Establish future joint meeting with the Leech Lake Band of Ojibwe), and delete and reschedule Item 8A. (Cheryal Lee Hills – Region Five Annual Comprehensive Economic Development Strategy (CEDS) update). Unanimous.

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

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

Approve - Board Minutes of November 6, 2012.

Approve - Auditor manual warrants dated October, 2012 in the amount of \$3,855,754.52.

Approve - Auditor warrants dated October 31, 2012 in the amount of \$1,211.00.

Approve - Auditor warrants dated November 1, 2012 in the amount of \$177,073.63.

Approve - Auditor warrants dated November 8, 2012 in the amount of \$274,762.54.

Approve - Auditor warrants dated November 15, 2012 in the amount of \$2,030,290.56.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated November 9, 2012 in the amount of \$102,511.55.

Approve - HHVS Auditor warrants dated November 9, 2012 in the amount of \$129,504.35.

Approve - HHVS Commissioner warrants dated November 23, 2012 in the amount of \$135,950.74.

Approve - HHVS Auditor warrants dated November 23, 2012 in the amount of \$71,310.28.

Approve Personnel Actions - A. Budgeted positions scheduled for replacement – 1. Receive & file notice of appointment of Karen Eischens to County Agency Social Worker, grade 28, step 01, effective November 05, 2012. 2. Receive & file notice of appointment of Amy Holmberg to County Agency Social Worker, grade 28, step 01, effective November 13, 2012. 3. Receive & file notice of appointment of Mary Graham to Office Support Specialist, grade 15, step 01, effective November 13, 2012. 4. Receive & file notice of temporary 67-day limit reinstatement of Beth Krueger to Eligibility Worker, grade 20, step 10, effective November 14, 2012 to fill in for worker out on maternity leave. 5. Receive and file notice of retirement of Ailene (Sis) Geiser, Administrative Assistant for the Auditor-Treasurer's Office, effective December 31, 2012, and Receive and file notice of intent to fill the Administrative Assistant position at grade 15. B. Positions scheduled for no replacement at this time: None. C. Other - 1. Approve - PEHRC's point factor evaluation system rating for HHVS – Position Assistant Veteran Service Officer at grade 21. 2. Receive & file the notice of intent to fill newly created position in Cass County Health, Human and Veterans Services – Assistant Veteran Service Officer, grade 21. 3. Approve - PEHRC's point factor evaluation system rating for Highway position Accounting Technician at grade 19.

4. Receive & file notice of appointment of Robyn Bennett, Highway - Accounting Technician grade 19, effective November 26, 2012. 5. Receive & file no change to position of Highway – Fiscal Supervisor, Lori Koch.

Approve licenses – Tobacco - DJ's Liquor Outlet - Joseph Karst, Powers; Outing Station-Roosevelt Lake properties, Inc, Crooked Lake; MacHart's Landing-Earl MacHart, Federal Dam; Lake Country Grocery & Liquor-Sara Smith, Crooked Lake. On Sale 3.2 Beer - Ski Gull - Ski Gull, Inc, Fairview. Off Sale 3.2 Beer - Beckers Resort - Holter Holiday, LLC, Unorganized. On & Off Sale 3.2 Beer - Agency Bay Lodge-Sharon Palmer,Turtle Lake.

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

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

Approve - 2012 Emergency Management Grant (EMPG) in the amount of \$39,998.00 from the MN Department of Public Safety (CFDA 97.042).

Approve - Bid specifications for annual printing & publishing for year 2013.

Approve - Out-of-state travel for Merilee Payne- Nurse-Family Partnership Unit 2 Training on January 7-11, 2013 in Denver CO.

Approve - Resolution No. 57-12 on Gary Vosberg's repurchase of Parcel ID#24-385-0022 in Section 17 of May Township.

Commissioner Gaalswyk offered Resolution No. 57-12 and moved its adoption, Commissioner Dowson seconded:

Be it resolved that the Cass County Board of Commissioners hereby approves the repurchase of Parcel #24-385-0022, Tract 1 - That part of Outlot B, Blowers Shady Shores, Cass County, Minnesota, described as follows: Commencing at the southwest corner of said Outlot B; thence north 04 degrees 40 minutes 09 seconds west, assumed bearing along the west line thereof, 1779.16 feet; thence south 52 degrees 49 minutes 58 seconds east 299.98 feet to the point of beginning of the tract to be herein described; thence north 35 degrees 58 minutes 24 seconds east 309.94 feet; thence south 47 degrees 15 minutes 16 seconds east 625.53 feet, more or less, to the shoreline of the Crow Wing River; thence southwesterly along said shoreline to its intersection with a line bearing south 52 degrees 49 minutes 58 seconds east from the point of beginning thence; north 52 degrees 49minutes 58 seconds west 594.51 feet, more or less, to the point of beginning.

The repurchase to Gary Vosberg, is authorized for payment of \$5,747.92 for past and current taxes and fees in accordance with the application and subject to deed approval.

Resolution No. 57-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Approve - Agreement with Pequot Lakes Physical therapy Services from January 1, 2013 through December 31, 2013.

Receive & file - 2012 election statistics.

Approve - Bid award on Cass County Sheriff's Office Hazard Mitigation Plan Update

| <u>Bidder</u> | <u>Bid Amount</u> |
|------------------------------------|-------------------|
| Region Five Development Commission | \$26,250.00 |
| Integrated Solutions Consulting | \$25,120.00 |

M/S/P Gaalswyk, Dowson - To accept the apparent low bid of Integrated Solutions Consulting in the amount of \$25,120.00 to update Cass County's Sheriff Office Hazard Mitigation Plan. Unanimous.

- 3A. ESD Director John Ringle, and Planning Commission member Susan Sundberg presented the Planning Commissions' recommendations to amend Cass County Land Use Ordinance No. 2005-01, Environmental Definitions Ordinance No. 2007-04, and Subdivision & Platting Ordinance No. 2009-02. County Planner Paul Fairbanks reported that the Planning Commission has conducted the 1st reading of the Ordinance amendments in accordance with the Cass County Board Business Rules (Rule 14. Ordinances Procedure - adopted by Resolution No. 01-12). Director Ringle explained the distribution and publication plan of the proposed amendments.

M/S/P Downham, Kangas – To receive and file the recommendations of the Planning Commission as presented and further, to schedule a 2nd public hearing for consideration of amendments to Cass County Land Use Ordinance No. 2005-01, Environmental Definitions Ordinance No. 2007-04, and Subdivision & Platting Ordinance No. 2009-02 on Tuesday, December 18, 2012 during the regular Cass County Board of Commissioners Board Meeting, beginning at 10:00 a.m., Commissioners Board Room, Crtse, Walker, MN. Unanimous.

County Planner Paul Fairbanks requested consideration of two additional Land Use Ordinance revisions - Section 903.2 renaming the Urban Growth land use zone to Municipal Growth and Section 1126.1 Structure Setbacks standardizing setbacks for structures at 20 feet from roadways (currently 50 feet from the right-of-way of a county or state roadway).

M/S/P Dowson, Gaalswyk – To receive and file the recommendations of the County Planner as presented and further, to schedule consideration of the same at the 2nd public hearing on amendments to Cass County Land Use Ordinance No. 2005-01, Environmental Definitions Ordinance No. 2007-04, and Subdivision & Platting Ordinance No. 2009-02 on Tuesday, December 18, 2012 during the regular Cass County Board of Commissioners Board Meeting, beginning at 10:00 a.m., Commissioners Board Room, Crtse, Walker, MN. Unanimous.

- 4A. Sheriff Tom Burch requested Board action on the formation of a Cass County Teen CERT Program. A Community Emergency Response Team educates people in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. The program has a nationally developed curriculum to follow, and involves about 40 hours of training and then planning annual exercises, that will build additional hands on experience, and also includes an on-going continuing education process. Emergency Management Coordinator Kerry Swenson added that the Homeland Security and Emergency Management Agency has grant funding in the amount of \$2,800.00 to assist with the training (provided by Cass County Sheriff's staff) and equipment for 25 students. The plan would be to train and equip a new group each year to keep a constant staff of about 50 members. Sheriff Burch added that his Office will coordinate the program with Cass County school districts and other youth training programs.

M/S/P Dowson, Downham – To approve the concept of a Cass County Sheriff's Office Teen CERT Program, and further to approve submission to Homeland Security and Emergency Management Agency for grant funding in the amount of \$2,800.00 for training and equipment for the CERT Program. Unanimous.

- 4B. Sheriff Burch and Mr. Swenson discussed the existing Nixle alert system and a proposal from Code Red Service both of which provide instant electronic emergency management information to Cass County residents from the Sheriff's Office. The Code Red system would expand contact to landline phones in addition to the existing Nixle service to text message, email (over the Web or mobile application). The Nixle System presently has 490 registered recipients and the Sheriff recommended including information in the 2013 tax statements. By consensus the Board suggested to the Sheriff that notices be sent to Cass County Cities, and Townships as well. The quote from Code Red was in the amount of \$13,500.00 annually compared to the existing Nixle System in the amount of \$1,500.00 annually.

M/S/P Dowson, Gaalswyk - To maintain the existing Nixle System and to authorize the Sheriff's Office to include program information in the 2013 property tax statement mailing. Unanimous.

- 4C. Mr. Swenson reported that permit approval has been obtained from the State of MN for 16 solar powered public alarm sirens that had been installed by contractor Starry Electric Inc. in July & August of 2010. The electrician will provide approval documents so that there will be no question when and if anyone wants to add more solar powered sirens as the City of Lake Shore has talked about doing. The Board thanked Mr. Swenson for the update. No action necessary.
- 5A. Kevin Lee and Gary Pearson of North Memorial Ambulance presented the third quarter 2012 report for the Longville Ambulance Subordinate Service District (LASSD). Mr. Lee reported that LASSD transported or billed 169 patients vs. 171 for the same time period in 2011. Revenues were \$5,989 under budget, expenses were \$9,616 over budget, and the gross margin was 12.0%. Mr. Lee discussed community involvement, and added that the Brainerd region's overall patient satisfaction score was 93.3 with the North Memorial's Ambulance Division currently ranked 92.75 in a national survey. Mr. Pearson discussed potential changes in the Central Minnesota EMSRB Joint Powers membership noting that funding to the Region would remain unchanged. The Board thanked Mr. Lee and Mr. Pearson for the update.
- 6A. Social Services Manager Michele Piprude presented the annual Cass County Screening Team Report. Ms. Piprude discussed the out of home placement trends (38 placements over 30 days) from September 2011 through September 2012 - by agency, by age, by gender, by chemicals involved. Primary issues contributing to out of home placement included neglect(14), behavior(19), truancy(4), mental health(2), abuse(3) and medical(0). The Board discussed their support for related prevention and early intervention strategies initiated by community groups and HHVS.
- 6B. HHVS Director Reno Wells summarized the annual 2012 progress reports for Pine River Backus, Pillager, Cass Lake, HOWA, and Northland Area Family Centers.

M/S/P Dowson, Downham – To receive and file the annual 2012 progress reports for Pine River Backus, Pillager, Cass Lake, HOWA, and Northland Area Family Centers. Unanimous.

- 6C. Mr. Wells presented the 2013 Interagency Agreement with Cass County/ Leech Lake Reservation Children's Initiative Collaborative Board, Cass County Board of Commissioners, Cass Lake/Bena School District, Walker/Hackensack/Akeley School District, Northland Community Schools, Pine River/Backus School District, Pillager School District and Bi-County CAP. Director Wells noted the Collaborative Board recommendation to not include the Leech Lake Reservation Tribal Council as a signatory due to a lack of participation. Director of Business Management Melanie Wolfe summarized Article IV. of the 2013 Interagency Agreement that Cass County agrees to contribute up to \$33,000.00 for the position of Children's Mental Health Coordinator, contributes to the Integrated Fund identified savings in out-of-home placement costs up to \$25,000.00 for mental health services, and will contribute \$5,000.00 to the Integrated Fund of the Cass County/Leech Lake Reservation Children's Initiative.

M/S/P Gaalswyk, Downham - To approve the 2013 Interagency Agreement by and between the Cass County/Leech Lake Reservation Children's Initiative Collaborative Board from January 1, 2013 through December 31, 2013. Unanimous.

- 7A. Land Commissioner Josh Stevenson presented a report indicating revenue from the 2012 land sale activity totaling \$740,675.00 from January 1, 2012 to October 27, 2012. Mr. Stevenson summarized the distributed amounts of \$78,000.00 to the Reforestation Account Refund Fund 73, \$662,675.00 distributed Tax Forfeit Account and \$364,471.25 to the Tax Forfeit Distribution list (Townships/Cities = \$39,760.50; Schools = \$79,521.00; County General Fund = \$79,521.00; Trails and Recreation = \$66,267.50; Reforestation = \$99,401.25), and \$298,203.75 to offset Land Department expenses.

Mr. Stevenson added that from January 1, 2011 to October 31, 2012 Cass County sold 583.40 acres of non-conservation land (320 acres with no public access, 220 acres with public access surrounded by private property, and 44 acres of platted land). From January 1, 2011 to October 31, 2012 Cass County purchased the 785.36 acres of conservation lands with Lessard Sams Outdoor Heritage Council Funds (LSOHC) which provided a "net" gain of public land from January 1, 2011 to October 31, 2012 of 201.96 acres providing public access to 1,501.96 acres of adjacent public land.

M/S/P Kangas, Gaalswyk – To receive and file the Cass County land sale activity report from January 1, 2011 through October 27, 2012. Unanimous.

- 7B. Mr. Stevenson reported back on the possible tour of area wood mills of Norbord Inc.(Solway), Potlatch(Bemidji), and Sappi Fine Paper Mills(Cloquet) that uses Cass County wood products. Mr. Stevenson requested Board approval to establish Monday December 17th as the tour date by the Board of the Potlatch and Norbord wood mills located in Bemidji and Solway.

M/S/P Dowson, Downham – To establish Monday, December 17th as a Board tour of Potlatch and Norbord Mills near Bemidji, MN and further, to contact the Sappi Fine Paper Mill (Cloquet) regarding a mill tour in the spring of 2013 after the MN State legislative session ends. Unanimous.

- 8A. Highway Engineer Dave Enblom requested Board action to approve Resolution No. 58-12, a master agreement with MnDOT to coordinate the delivery of transportation services and maximize the efficient delivery of such services.

Commissioner Gaalswyk offered Resolution No. 58-12 and moved its adoption, Commissioner Peterson seconded:

Whereas, The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

Whereas, Mn/DOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

Whereas: the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write "work orders" against a master contract would provide the greatest speed and flexibility in responding to identified needs.

Therefore, be it resolved:

1. That the County of Cass enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Board.
2. That the proper County officers, County Board Chair and County Administrator, are authorized to execute such contract, and any amendments thereto.

3. That the County Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from Mn/DOT, and that the County Engineer may execute such work order contracts on behalf of the County without further approval by this Board.

Resolution No. 58-12 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 8B. Kris Lyytinen reported efforts by the Highway Department to sell three used 2,500 gallon diesel fuel tanks and pumps with a minimum bid of \$8,000 each. The Highway Department placed an ad in the Pilot Independent, the Cass County website, and the McLaughlin Auctioneer's MC-Bid.Com online auction site. Although the MC-Bid.com site showed 351 individuals looked at the tanks no bids were presented.

M/S/P Dowson, Peterson – To declare the three used 2,500 gallon diesel fuel tanks and pumps as surplus property and further, to authorize the Highway Department to sell tanks and pumps on a negotiated basis. Unanimous.

- 8C. Mr. Enblom presented a request from the City of Lake Shore for reimbursement from Conservation Fund 73 in the amount of \$20,000.00 for consulting services related to Trail 77 planning in the City of Lake Shore. Administrator Yochum noted prior Board action of February 21, 2012 (to reserve up to \$20,000.00) and the availability of fund balance for the referenced project.

M/S/P Gaalswyk, Downham – To approve reimbursement to the City of Lakeshore from Conservation Fund 73 in the amount of \$20,000.00 for consulting services related to Trail 77 planning in the City of Lake Shore per Board action of February 21, 2012. Unanimous.

- 8D. Mr. Enblom introduced Phil Martin of Bolton & Menk, Inc. Mr. Martin reviewed the Camp Ripley/Veterans State Trail Corridor Study. The Camp Ripley/Veterans State Trail is proposed to be a multi-use trail accommodating both motorized and non-motorized trail users which will connect the Paul Bunyan State Trail in the Crow Wing State Park and the Soo Line Regional Trail near Little Falls. City Administrator Terri Wickman and Jan Loftis from the City of Pillager expressed an interest in the ongoing discussions of the trail system and will distribute hard copies of the study to Fairview, and Sylvan Townships as well as the Cities of Lake Shore and East Gull Lake. Administrator Yochum reported that the Region Five Development Commission Executive Director will be attending the Thursday, December 6, 2012 Board meeting at which time the Board could discuss next steps. No action necessary.

9. County Administrator Yochum confirmed the upcoming meeting schedule.

M/S/P Dowson, Downham - To approve changing the time of the Tuesday, December 18, 2012 regular Commissioner's Board Meeting, from 9:00 a.m. to 10:00 a.m. Board Room, 1st Floor Crtse. Annex, Walker, MN. Unanimous.

M/S/P Dowson, Downham – To formally invite the Leech Lake Band of Ojibwe Tribal Council for a joint meeting in the near future. Unanimous.

10. Chairman Peterson adjourned the meeting at 11:30 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator