

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
February 19, 2013**

- 1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, February 19, 2013, 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
Sharon Anderson	Auditor-Treasurer	Tim Richardson	Central Services Director
Jim Schneider	Probation Director	Sue Wickland	Probation Office
Josh Stevenson	Land Commissioner	Patrick Wussow	Aitkin County Administrator
Don Niemi	Aitkin County Commissioner	Kevin Lee	LASSD
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Kangas, Peterson – To approve the agenda items for discussion as presented and the addition of Item 5E. (Letter of support for City of Lake Shore Trail 77 grant applications). 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 - Board Minutes of February 5, 2013.

Approve - Auditor manual warrants dated January, 2013 in the amount of \$929,148.46.

Approve - Auditor warrants dated January 31, 2013 in the amount of \$5,898.00.

Approve - Auditor warrants dated January 31, 2013 in the amount of \$202,181.68.

Approve - Auditor warrants dated February 7, 2013 in the amount of \$397,577.97.

Receive & file - Monthly budget reports.

Approve - HHVS Commissioner warrants dated February 8, 2013 in the amount of \$94,610.19.

Approve - HHVS Auditor warrants dated February 8, 2013 in the amount of \$100,380.72.

Approve personnel actions – A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Jolene Hemp to Corrections Officer, Grade 21, step 01, effective January 22, 2013. 2. Receive & file - Notice of appointment of Michael Osburnsen to Dispatcher, Grade 21, step 01, effective January 28, 2013. 3. Receive & file - Notice of appointment of Wade Schultz to Deputy Sheriff, Grade 27, step 01, effective January 30, 2013. 4. Approve - Veterans Services Officer increase to Grade 31, Step 7 effective January 01, 2013. B. None. C. Other: 1. Request - Approval to re-establish Fiscal Supervisor II and approve grade rating evaluation submission to Public Employment HR Consulting (PEHRC) for the position of Health, Human & Veterans Services – Fiscal Supervisor II. 2. Request - Approval for grade rating evaluation submission to Public Employment HR Consulting (PEHRC) for the position of Assistant County Assessor.

Approve licenses – On & Off Sale 3.2 Beer - Birch Villa Resort - Birch Villa Resort, LLC, Pike Bay; Red Wing Lodge - Kyle Benjamin, Turtle Lake (This request for approval is contingent upon receiving a clearance certificate from MDOR once delinquency has been resolved). Off Sale 3.2 Beer - Huddles South Shore Resort - Huddles South Shore Resort, Inc., Pine Lake. Gambling - NWTF Leader Wild Toms - Jon Wiegand, Meadow Brook.

Receive & file - Auditor -Treasurer's Interest Income Report for January 2013.

Receive & file – January 2013 Cass County EDC Activity Report.

Approve - Reimbursement of Cass County Housing & Redevelopment Authority Board member per diem and mileage expense in the amount of \$3,300.00 from July 2012 – through December 2012.

Authorize - \$1,080 of the encumbered Conservation Fund 73 funds to reimburse the Clean Water Fund Grant balance and close the Sylvan Lake and Lake Margaret SSTS inspection project.

Approve - MPCA Joint Powers Agreement (Swift Contract No. #57986) for \$70,000 to serve as lead partner on the Phase II Leech Lake River Watershed Restoration and Protection Project.

Approve - Resolution No. 10-13 to support a Bi-CAP grant application - Family Homeless Prevention and Assistance Program in Cass County.

Commissioner Kangas offered Resolution No. 10-13 and moved its adoption, Commissioner Dowson seconded:

Minnesota Housing and Finance Agency
Family Homelessness Prevention and Assistance Program

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention and Assistance Projects; and
WHEREAS, the Bi-County Community Action Programs Inc. has developed an application for the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program; and
WHEREAS, Bi-County Community Action Programs, Inc has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program;
NOW, THEREFORE, be it resolved that Bi-County Community Action Programs, Inc. is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program in the County of Cass, in Minnesota.

Resolution No. 10-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Receive & file - 2012 Records Office summary of annual fees collected and documents filed.

Approve - Submission for Family Planning Special Project Grant Funding through MDH for the period of July 1, 2013 - June 30, 2015 and approve governing Board Resolution No. 11-13 as required with grant application.

Commissioner Kangas offered Resolution No. 11-13 and moved its adoption, Commissioner Dowson seconded:

Form D Governing Board Resolution

Be it resolved that:

- 1) Cass County Health, Human and Veterans Service can apply for a Family Planning Special Projects grant from The Minnesota Department of Health.
- 2) Cass County Health, Human and Veterans Service can enter into a grant contract with the Minnesota Department of Health if the application is successful.
- 3) Reno Wells is hereby authorized to execute contracts as Community Health Service Administrator required to implement the organization's participation in the Family Planning Special Projects grant program.

Resolution No. 11-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Approve - Transfer of funds from Unorganized Township to Highway Department in the amount of \$35,492.56 for road maintenance and administrative costs from November - December 2012.

Approve - HHVS Purchase of Service contract from January 1, 2013 through December 31, 2013: Jail nursing services to Cass County Jail.

- 2B. Administrator Yochum reported back on the Board action of Tuesday, February 5, 2013 to solicit a neutral third party to be a hearing officer for "Dangerous dog" ("DD") appeals. Mr. Yochum presented a draft Independent Contractor Agreement between Cass County and former Assistant County Attorney Jon Eclov to purchase the services of an Animal Control Hearing Officer. Proposed terms of the agreement include a term of February 20, 2013 through December 31, 2016, and an hourly rate of \$150.00 plus mileage and related expenses, when each are approved in advance by the County Administrator. By consensus, the Board requested a proposed fee for hearing services and an activity report of dog hearing actions.

M/S/P Gaalswyk, Dowson - To approve as presented the Independent Contractor Agreement between Cass County and Jon Eclov for services as an Animal Control Hearing Officer. Unanimous.

- 3A. Kevin Lee of North Memorial Ambulance presented the year-end 2012 report for the Longville Ambulance Subordinate Service District (LASSD): Staffing - paramedics scheduled every day during the 4th quarter which exceeds the part time ALS license requirements; Volumes - transported or billed 209 patients vs. the budgeted amount of 224; Financial Report - revenues were \$28,171 under budget due to decreased volumes; expenses were \$15,591 over budget due to increased salary expenses for 3 people who were on medical leave, and 2 new King Vision airway devices; net margin for 2012 was 7.7%; \$72,300 invested in capital improvements including a Lucas CPR Device, 2 AVL/Mapping units, and 2 Lifepack 15 Cardiac monitors. Mr. Lee noted that in 2013, North Ambulance will be investing in electronic medical records for the Longville operation. Mr. Lee summarized community involvement and customer satisfaction ratings. The Board thanked Mr. Lee for the update.

- 4A. Probation Director Jim Schneider presented the 2012 Probation Department Annual Report. The report indicated there were adult violations in 2012 of 1,109 (601 were DWI's and 234 were assaultive behavior representing 75% of all adult cases)

and juvenile violations in 2012 of 901 (263 were assaultive behavior, 185 property offenses and 234 status offenses - minor consumption, tobacco, and curfew representing 75% of all juvenile cases). Director Schneider acknowledged Office Manager Sue Wickland for improved revenue collections and discussed financial trends, wellness Court, the Diversion Program, community involvement, and the 2013 goals. The Board thanked Director Schneider for the report. No action necessary.

4B. Director Schneider reviewed the 2012 Northwest Juvenile Center Annual Report. Mr. Schneider explained that children are placed at the Northwest Juvenile Center for two common reasons: 1.) delinquent behavior (children who violate the law, are in need of a structured setting to stabilize their behavior, and to protect society from harm) and 2.) 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 2012 at Northwest Juvenile Center were 207 intakes at a cost of \$1,286,108.23. The Board thanked Mr. Schneider for the update. No action necessary.

5A. Land Commissioner Josh Stevenson discussed the additional services to the public in multiple departments has created a shortage of customer parking at the Land Department Building. Mr. Stevenson proposed that the Board consider expanding parking in the vacant lot west of the building. The City of Backus has been asked for input regarding the plan, and has responded that they are happy to work with the County if any permits or variances are needed. A parking lot plan will be coordinated with the Highway Department as well.

M/S/P Dowson, Kangas – To authorize the Land Department to solicit bids from qualified contractors, identify funding sources, and report back to the Board for approval. Unanimous.

5B. Mr. Stevenson updated the Board on a press release from the MN DNR regarding the Camp Lake property in Trelipe Township. DNR has acquired the 2,751 acres of property from the Nature Conservancy and is interested in working with Cass County on an “expedited” land exchange. Mr. Stevenson added that County and DNR staff have already consulted Trelipe Township and identified tax forfeit lands located in Crooked Lake, Beulah, and Bungo Townships. The referenced County managed parcels are inside State forest boundaries and if exchanged would improve forest management efficiency. Upon Board approval of the concept input would be solicited from the three Townships during March of 2013.

M/S/P Peterson, Gaalswyk – To authorize the Land Department to pursue a land exchange with the State of MN DNR as presented after consulting Beulah, Bungo and Crooked Lake Townships. Unanimous.

5C. Mr. Stevenson informed the Board that the Land Department has been working with Senator Tom Saxhaug’s Office to include a tax forfeit parcel located on Jack Pine Lake in Lot 3, Block 1, Jack Pine Shores, Section 28, Township 140 North, Range 31 West, Hiram Township in the 2013 lands bill. The tract contains 205’ feet of lakeshore and requires special legislation before it can be offered at public auction. The property contains a garage with living quarters and is surrounded by private property, is served by an existing Township road. The lake has a carry-in access on the north side of the lake off County Road 40 for the public, and the entire west side of the lake is public land. The best use appears to private ownership.

Commissioner Peterson offered Resolution No. 12-13 and moved its adoption; Commissioner Gaalswyk seconded:

BE IT RESOLVED, that Cass County, through its Board of Commissioners, request special legislation for sale of tax-forfeited lands within Cass County.

WHEREAS, the following described parcel is tax-forfeit land within Cass County:

Parcel # 16-470-0130
6086 Variety Lake Dr NW
Hackensack, MN 56452
Lot 3, Block 1, Jack Pine Shores
Section 28, Township 140 North, Range 31West
205 feet of shoreland frontage

WHEREAS, Minnesota Statute 282.018 prohibits sale of tax-forfeited shoreland parcels that contain more than 150 front feet of shoreland;

WHEREAS, and the above described parcels contains more than 150 front feet of shoreland, and

WHEREAS, the Cass County Board of Commissioners has concluded that the above described land is best suited for private ownership because the parcel:

A. Is small in size (less than 20 acres)

- B. Adjoins private lands.
- C. Has a cabin.
- D. Is on a public maintained all-season road and near existing public services.
- E. Is on a lake with a large (more than 80 acres) amount of public lakeshore.

NOW, THEREFORE, BE IT RESOLVED that the Cass County Board of Commissioners requests that the State of Minnesota approve special legislation that would allow sale of the above described parcel at public auction.

Resolution No. 12-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, and Peterson. Nays: None.

- 5D. Mr. Stevenson reported that the Cass County snowmobile trails are in excellent shape, the July 2012 blow down clean up around Lake Winnie is completed and all trails are open for use. The Cass County Sheriff's Office continues to patrol area trails monitoring signs and checking for unsafe conditions. Cross country ski trails continue to be groomed by the Lake Country Nordic Ski Club who are doing an excellent job and staff is happy to report no citizen complaints this year.

Mr. Stevenson commented that the two grant in aid ATV proposals continue through the process. The Over the Hills Gang in cooperation with Cass County ESD completed all required wetland mitigation permits, no work will begin until the trail application has been approved, the public comment period with the MNDNR will begin soon, and all adjoining land owners of the proposed trail will be notified and invited to comment. The Woodtick Wheelers have been in communication with the City of Longville regarding the MNDOT Limited Use Permit for MN Hwy 84, and will continue to work with a private land owner on a potential land purchase to reduce the overall cost of the trail project and avoid CSAH 5 right of way as much as possible. No action necessary.

- 5E. Commissioner Gaalswyk requested a letter of support for the City of Lake Shore Trail 77 grant applications to the MN Department of Natural Resources.

M/S/P Gaalswyk, Kangas – To authorize the Board Chair to send a letter of support endorsing the City of Lake Shore Trail 77 grant applications to the MN Department of Natural Resources. Unanimous.

- 6A. Auditor-Treasurer Sharon Anderson and Central Services Director Tim Richardson presented the 2013 Capital Maintenance Program proposing to allocate budgeted funds not to exceed \$100,000.00 to twelve maintenance projects at the County seat campus at Walker.

M/S/P Kangas, Gaalswyk – To approve the 2013 Capital Maintenance Program as presented, and further, that all projects will be evaluated for competitive pricing, and all related contracts will be submitted to the County Administrator and Chief Financial Officer for review and approval. Unanimous.

- 6B. Ms. Anderson presented a draft newsletter to be included in the 2013 property tax statements.

M/S/P Kangas, Peterson – To approve an insert with the 2013 property tax statements as presented. Unanimous.

7. County Administrator Yochum confirmed the upcoming meeting schedule: a.) AMC 2013 Legislative Conference, March 20-21, 2013, Crowne Plaza St. Paul Riverfront, St. Paul, and b.) Joint Meeting with the Leech Lake Band of Ojibwe, Friday, March 01, 2013, beginning 12:00 p.m., Northern Lights Event Center, Walker MN.

8. Chairman Downham adjourned the meeting at 10:15 a.m.

SIGNED: _____
Dick Downham Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator