

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
April 16, 2013**

1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, April 16, 2013, with the flag pledge, in the Land Department Meeting Room, Backus, MN. Commissioners present: Downham, Dowson, Kangas, and Peterson. Commissioner Gaalswyk arrived at 9:15 A.M.

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
Josh Stevenson	Land Commissioner	David Enblom	Highway Engineer
Laura Hadrava	Highway Department	Erick Hoglund	Chief Deputy Sheriff
John Ringle	ESD Director	Paul Fairbanks	County Planner/Solid Waste Ofcr.
Reno Wells	HHVS Director	Jolene Frick	HHVS
Rim Richardson	Central Services Director	Cheryl Brown	Brown's Sep-Tech
Willard Pehling	SWCD Cass	Scott Spetrick	VFW Post #772
Tom Hasser	VFW Post #772	Gary Schmiesing	VFW Post #3839
Lynne Stehr	Veterans	Don Stehr	Veterans
Rusty Lilyquist	Rustys Up North Realty	James M. Rice	Self
CSM Dan Bednarek	Camp Ripley	Col. Scott A. St. Sauver	Camp Ripley Post Commander
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 2B. (Approve out-of-State travel for Assistant Veterans Service Officer, and request to be heard: Scott Septrick VFW Post #772). Unanimous.

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

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

Approve Board Minutes of April 2, 2013.

Approve Auditor manual warrants dated March, 2013 in the amount of \$585,091.81.

Approve Auditor warrants dated March 28, 2013 in the amount of \$1,673.00.

Receive & file - Monthly Budget Reports.

Approve HHVS Commissioner warrants dated April 5, 2013 in the amount of \$32,863.03.

Approve HHVS Auditor warrants dated April 5, 2013 in the amount of \$44,628.02.

Approve HHVS Auditor warrants dated April 5, 2013 in the amount of \$1,874.94.

Approve personnel actions - A. Budgeted positions scheduled for replacement - 1. Approve - Appointment of Denise Rittgers, Assessor's Office Account Clerk II, grade 17, step 2 effective April 15, 2013. 2. Receive & file - Resignation of Jim Vogt Cass County Sheriff's Office Baliff, effective May 16, 2013, and receive & file intent to fill Baliff position. 3. Receive & file - Resignation of Marilyn Vogt Cass County Sheriff's Office Baliff, effective April 10, 2013. B. Positions scheduled for no replacement at this time: None. C. Other: 1. Approve - Continuation of insurance premium payments for Sheriff's Office Deputy Clark Lepley for a maximum period of 6 months, fringe benefits will cease to be earned. 2. Approve - Extending FMLA period for Highway Department Motor Equipment Operator Wade Reynolds from April 1, 2013 through September 30, 2013. 3. Receive & file - Court Order regarding Cass County Probation Director, Team Leader, and Probation Officers compliance with Cass County salary table, grade/step and payment plan as approved by the Cass County Board of Commissioners.

Approve licenses Set-Up's - All Pine Inn Resort Richard Anderson, Beulah. Gambling - American Legion #49 Auxiliary @ Bears Den Sharon Higgins, Meadow Brook; Young at Heart Senior Club Mary Jane K Lewis, Kego. On & Off Sale 3.2 Beer - Anderson's Cove Chris Anderson, Leech Lake.

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

Receive & file - Assessor's Office 2013 spring mini abstract values.

Report - That the Department Head performance evaluation of Tuesday, April 2, 2013 concluded that Highway Engineer David Enblom achieves the requirements of his position, and further to approve Resolution No. 19-13 re-appointing David Enblom as Highway Engineer, effective May 16, 2013 through May 16, 2017.

Commissioner Kangas offered Resolution No. 19-13 and moved its adoption, Commissioner Peterson seconded: BE IT RESOLVED that David E. Enblom is hereby re-appointed to the position of Cass County Highway Engineer, effective May 17, 2013 through May 16, 2017, appointment made pursuant to Minnesota Statutes 163.07, for a four-year term. Resolution No. 19-13 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Gaalswyk.

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

Authorize - 25% Fund allocation use of \$700.00 for environmental education at Deep Portage for Immanuel Lutheran School (14 participants) on March 25-26, 2013.

Authorize - Payment to Deep Portage for Lean 101 Meeting (39 participants) on Tuesday, March 26, 2013 in the amount of \$760.00.

M/S/P Kangas, Peterson – To approve Amendment Number Six to the Jail Food Service & Commissary Management Agreement with A 'viands, LLC, a 2.7% increase per meal rate from July 1, 2013 through June 30, 2014 and a 3.0% increase per meal rate from July 1, 2014 through June 30, 2015. Unanimous.

<u>July 1, 2013 through June 30, 2014</u>		<u>July 1, 2014 through June 30, 2015</u>	
Number of Inmates	Base Rate per day	Number of Inmates	Base Rate per day
0-24	\$200.75	0-24	\$206.77
25-49	\$229.94	25-49	\$236.84
50 +	\$258.80	50+	\$266.56

Reflecting a 2.7% increase

Reflecting a 3% increase

Per Meal Rate: In addition to the above base rate, A 'viands will charge \$1.20 per meal to cover the variable portion of its services from July 1, 2013 through June 30, 2014 reflecting a 2.7% increase, and \$1.24 per meal for the period of July 1, 2014 through June 30, 2015 reflecting a 3% increase.

Authorize - Sheriff to execute Law Enforcement Agreement with US Forest Service through September 30, 2013.

Approve - Appointment of Commissioner Bob Kangas as representative to the Paul Bunyan Expressway Coalition term expiring December 31, 2013.

Approve - Grant application by Cass County Probation Department to MN DOC Remote Electronic Alcohol Monitoring (REAM) in the amount of \$8,500.00 per year for FY2014 – FY2015 (from July 1, 2013 - June 30, 2015) Swift #60094/3-25613.

Approve Assessor's Office Abatements - Jason & Nicole Smith Powers Township parcel #34-029-2302 Damage/Fire Abatement current tax \$420 authorize refund of \$162 for tax year 2011.

M/S/P Kangas, Peterson – To award the following grading contracts: Deerfield Trails to Sawyer Timber in the amount of \$675/grading; Bungo/Moose Lake trails to Sawyer Timber in the amount of \$800/grading; Bull Moose Trail to Sawyer Timber in the amount of \$800/grading; Old Grade Trail to Holmwig Excavating in the amount of \$3,675 (including grading and hauling additional material). Unanimous.

<u>Bidder</u>	<u>Bungo/Moose Lake</u>	<u>Deerfield</u>	<u>Bull Moose</u>	<u>Old Grade</u>
Holmwig Excavating	\$1,050.00	\$750.00	\$850.00	\$3,675.00
North Fork Excavators	\$1,350.00	\$900.00	\$980.00	\$3,700.00
Sawyer Timber	\$ 800.00	\$675.00	\$800.00	No Bid
Schrupp Excavating	\$1,300.00	\$900.00	\$950.00	\$3,700.00
Ruyak Enterprises	NO BID	NO BID	NO BID	\$5,200.00

Accept - Donation from Orhan Soykan in the amount of \$6.00.

Approve - Cass County Family Center Support Services quarterly narrative reports and payment of quarterly expense claims totaling \$18,582.00.

Approve - Out of state travel for Central Services Director to attend Honeywell User Group Conference/Symposium in Phoenix, AZ, June 9-14, 2013, Honeywell provides training stipend covering transportation, lodging, meals, and any other items related to the conference.

- 2B. Administrator Yochum requested Board approval for out-of-state travel for the Assistant Veterans Service Officer for Veterans Administration Quarterly Meetings in Fargo, ND on, May 2nd, August 1st and November 7th. Mr. Yochum added that this originally was approved for the Veterans Service Officer at the December 18, 2012 meeting and due to a recent resignation it is recommended sending the Assistant Veterans Service Officer Jeff Woodford.

M/S/P Dowson, Peterson – To approve out-of-state travel for Assistant Veterans Service Officer Jeff Woodford for the Veterans Administration Quarterly Meetings in Fargo, ND on, May 2, August 1 and November 7, 2013. Unanimous.

Veterans Scott Septrick, Don Stehr, and Tom Hasser requested to be heard regarding the status of the Veterans Service Officer replacement due to the recent resignation of Veterans Service Officer Kathleen Ramos. Administrator Yochum reported that advertising for a replacement is underway. By consensus the Board requested staff follow-up on additional signage at Backus, publishing outreach schedules in area newspapers, and confirming that related information is updated on the County website.

- 3A. Auditor-Treasurer Sharon Anderson and area resident James Rice discussed Cass County Public Ditch #9. Ms. Anderson reported that property owners Greg Witt and James Rice are interested in pursuing ditch maintenance due to the beaver dam build up has hampered the flow of the original ditch and affected the water levels of Jokela (Muskrat) Lake. Ms. Anderson presented information on the process for assessing the cost under Minnesota drainage laws after consulting Attorney Kurt Deter. By consensus, the Board appointed an Ad-Hoc Committee (Commissioners Kangas and Gaalswyk) to work with affected landowners.

- 3B. Administrator Yochum reported that Auditor-Treasurer Anderson has volunteered to serve on the Bi-County CAP Board of Directors to fill Commissioner Dowson's unexpired term.

M/S/P Dowson, Downham – To appoint Auditor-Treasurer Sharon Anderson to the unexpired term of Commissioner Jim Dowson on Bi-County CAP Board of Directors (term ending December 31, 2013). Unanimous.

- 4A. Highway Engineer David Enblom and Construction/Design Engineer Laura Hadrava reported that the Ah-Gwah-Ching trunk highway #290 turn back corridor has been approved by the City of Walker Planning Commission and the Walker City Council. City Resolution #14-2013 approves the County Board action of March 06, 2012 establishing a county state aid highway system route within the Walker City limits. Mr. Enblom also reported that the turn back process results in receipt of funding of \$500,000 in 2013 from the State of Minnesota. No additional action necessary.

- 4B. Mr. Enblom presented a request from the City of Walker to act as fiscal agent and grant administrator for Parks & Trails Legacy Grant in the amount of \$425,000 for Shingobee Trail Connection Phase V project.

M/S/P Dowson, Kangas – To approve the Cass County Highway Department to act as fiscal agent and grant administrator for the Parks & Trails Legacy Grant in the amount of \$425,000.00 for Shingobee Trail Connection Phase V Project for the City of Walker. Unanimous.

- 5A. Chief Deputy Sheriff Erick Hogle reported that Emergency Management Coordinator Kerry Swenson was unavailable due to a fire department injury. The Board inquired about the negative feedback from area fire departments in utilizing the ARMER equipment. Mr. Hogle indicated that Mr. Swenson will reschedule the planned status report. No action necessary.

- 6A. Camp Ripley Post Commander Colonel Scott A. St. Sauver and Chief Dan Bednarek of Camp Ripley discussed the military mission and positive economic impact of Camp Ripley. Col. St. Sauver discussed the upcoming events scheduled at Camp Ripley from May through August. Scheduled 2013 improvement projects include: an emergency vehicle operator course, unmanned Ariel systems (UAS) complex, education center, range & training area improvements. The Post Commander also explained ongoing environmental programs with a variety of partners. Col. St. Sauver invited the Board to the 2013 Camp Ripley Open House on September 15, 2013. The Board thanked Colonel St. Sauver and Chief Dan Bednarek for the update.

- 7A. Land Commissioner Josh Stevenson presented quotes for a parking lot expansion at the Land Department in Backus, containing 24 parking stalls and located on the vacant lot to the west of the existing front parking lot. Construction cost for the parking lot will be shared by HHVS and the Land Department as the two primary departments that will benefit from the expansion.

<u>Bidder</u>	<u>Bid Amount</u>
Anderson Brothers	\$22,017.51
Tri-City Paving	\$19,000.00

M/S/P Kangas, Peterson – To accept the quote for the parking lot expansion at the Land Department in Backus to Tri-City Paving not to exceed \$19,000.00 and authorize funding for the same from the Land and Health, Human, and Veteran Services Departments. Unanimous.

- 7B. Mr. Stevenson presented correspondence from the Region Five Development Commission explaining that they have been working with the MNDNR - Division of Lands & Minerals on the submission of a LCCMR grant application on behalf of the five counties in Region Five to map aggregate resources. Mr. Stevenson added that the aggregate resource mapping would include information to the public promoting comprehensive land use plans, and potential development of the resource. The LCCMR grant application would request approximately \$900,000.00 with no cash matching funds, but the DNR recommends a commitment of \$7,500 from Cass County; \$7,500 from Crow Wing, \$5,000 from Morrison, \$2,500 from Todd and \$2,500 from Wadena totaling \$25,000 which Region Five would manage the funds and unused funds would go back to the counties. Mr. Stevenson presented Resolution 20-13 that Cass County agrees to participate in the Region Five LCCMR application.

Commissioner Kangas offered Resolution No. 20-13 and moved its adoption, Commissioner Gaalswyk seconded:

A RESOLUTION TO PARTICIPATE IN REGION FIVE'S LCCMR APPLICATION

WHEREAS, Region Five Staff has been working with the DNR and specifically the Division of Lands & Minerals within the DNR to put together an LCCMR application on behalf of the Region to have the Region's aggregate resources mapped, and WHEREAS, The LCCMR application will request approximately \$900,000 and if awarded the funds and work would begin in FY2015 and would anticipate being completed in 3 years, and WHEREAS, Cass County Board action of June 05, 2012 agreed to a financial cash match not to exceed \$10,000.00 and a minor commitment of time from the County staff, and WHEREAS, Cass County Board Commissioner Bob Kangas is our Region Five Representative for year 2013.

THEREFORE BE IT RESOLVED:

1. That Cass County agrees to participate in the Region Five LCCMR application as defined in the attached April 01, 2013 summary.
2. That the June 05, 2012 financial commitment remains until Region 5 is notified otherwise or execution of a grant agreement.
3. That Cass County Board Commissioner Bob Kangas is authorized to execute on behalf of Cass County any related Region 5 application endorsements.

Resolution No. 20-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 8A. ESD Director John Ringle presented the first quarter Planning and Zoning Activity Report. Cass County ESD reported a large reduction in permit activity due to the weather when compared to the first quarter of 2012. First quarter revenue on zoning actions was \$23,510 versus \$45,553 in the first quarter of 2012. Mr. Ringle reported that this year's first quarter permit revenue is more comparable to revenues of \$27,600 in the first quarter of 2011, or \$34,241 in the first quarter of 2010. First quarter 157 zoning actions took place versus 210 actions in the 2012 first quarter, again more comparable with 137 actions in the first quarter of 2011 and 151 actions in the first quarter of 2010. Mr. Ringle added that the first quarter planning and zoning activity is usually the slowest in terms of permit activity, and is expected to take until after the second quarter to determine if this decreased activity is a real downward trend, or if this is a result of unseasonably poor weather early in the first quarter of 2013.

M/S/P Peterson, Kangas – To receive & file the first quarter Planning and Zoning activity report. Unanimous.

- 8B. Environmental Services Director Ringle informed the Board that ESD has been requested by Crooked Lake Township and the Roosevelt and Lawrence and Leavitt Lake Association (RALALA) to enter in to a Memorandum of Understanding to allow Aquatic Invasive Species Boat inspectors to conduct boat inspections at Cass County public boat accesses on Roosevelt Lake. RALALA will bore all costs of the program and trained inspectors will be hired through a temporary employment service in Brainerd and coordinated by the Crow Wing County Environmental Services Department with no costs or liability to Cass County. Mr. Ringle explained that Crow Wing County has previously approved and executed the related agreement.

M/S/P Peterson, Gaalswyk – To approve the Memorandum of Understanding with Crow Wing County to administer the Aquatic Invasive Species (AIS) Inspection Program to conduct boat inspections located at the MNDNR public boat accesses on Roosevelt Lake in Crooked Lake Township. Unanimous.

- 8C. Mr. Ringle requested Board approval of a one-year contract extension for Cheryl and Ron Brown, DBA Brown's Sep Tech, to serve as Cass County Individual Septic Treatment System (ISTS) inspectors for newly installed systems at a rate of \$75.00 (last year's rate of \$70.00) per system for properly inspected and documented systems.

M/S/P Kangas, Dowson – To approve a one year extension of the ISTS Inspector Contract with Cheryl and Ron Brown of Brown's Sep-Tech Services in the amount of \$75.00 for each inspection properly executed and documented, effective April 16, 2013 through April 16, 2014. Unanimous.

- 9A. Central Service Director Tim Richardson gave a demonstration of the upgraded interactive web mapping system on the County website. Area realtor Rusty Lilyquist complimented the most recent past Web Fusion mapping system and inquired whether it could continue to be used until the new system is operating as well as the old system. Mr. Richardson responded that he recommended the County promptly focus on any problem areas and provide training to the public.

10. County Administrator Yochum confirmed the upcoming meeting schedule.

11. M/S/P Peterson, Gaalswyk – To close the meeting at 10:45 a.m. pursuant to MN Statutes M.S.13D.03. Subd.1 (b). - labor negotiation strategy and report results at the next regular meeting. Unanimous.

Present for the meeting were all County Board members, County Administrator Robert Yochum, Chief Financial Officer Larry Wolfe, HHVS Director Reno Wells, and HHVS Office Support Specialist Jolene Frick.

12. M/S/P Kangas, Peterson reopened the meeting and adjourned without discussion at 11:00 a.m. Unanimous.

SIGNED: _____
Dick Downham, Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator