

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

- 1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 6:00 p.m. on Tuesday, July 16, 2013, with the flag pledge at the May Township Hall, 5834 112th Street SW, Motley, 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	Tom Burch	Sheriff
Kerry Swenson	Emergency Mgmt. Coord.	Dave Enblom	Highway Engineer
Kris Lyytinen	Highway Department	Laura Hadrava	Highway Department
Jim Schneider	Probation Director	Josh Stevenson	Land Commissioner
Gail Leverson	EDC	Paul Gazelka	MN Senator District 9
Scott Wilson	Cass County HRA	David Horn	May Township Supervisor
Chad Converse	May Township	Susan Wake	Cass County Extension Committee
Vickie Kettlewell	Sunup Ranch	Greg Booth	Sylvan Township
Julie Martin	Cass County Farm Family	Bruce Martin	Cass County Farm Family
Melissa Martin	Cass County Farm Family	Matt Martin	Cass County Farm Family
Sarah Martin	Cass County Farm Family	Abby Burch	Self
Darrel Thomas	Cass County EDC	Gail DeBoer	Pilot Independent

- 1B. M/S/P Kangas, Peterson – To approve the agenda items for discussion as presented and the addition Item 2A.9 (Highway Department – Receive & file resignation of Mike Oates, effective July 18, 2013 and intent to fill Motor Equipment Operator position), and Item 2A.10 (Approve Gambling License for Northland Booster Club, Inc. raffle on August 24, 2013). Unanimous.

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

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

Approve - Regular Board minutes of July 2, 2013, and amend Board minutes of June 18, 2013 (Reeds TIF project).

Approve - Auditor Manual Warrants dated June, 2013 in the amount of \$9,882,281.70.

Approve - Auditor Warrants dated June 27, 2013 in the amount of \$228,661.42.

Approve - Auditor Warrants dated June 28, 2013 in the amount of \$642.00.

Approve - Auditor Warrants dated July 3, 2013 in the amount of \$206,334.56.

Receive & file - Monthly Budget Reports.

Approve - HHVS Auditor Warrants dated July 5, 2013 in the amount of \$39,511.18.

Approve - HHVS Commissioners Warrants dated July 5, 2013 in the amount of \$37,047.14.

Approve Personnel Items - Budgeted positions scheduled for replacement: A. 1. Receive & file - Notice of resignation of Amber Shaw, effective July 17, 2013, and receive & file the notice of intent to fill budgeted Home Health Aide position vacated by Amber Shaw. 2. Receive & file - Notice of appointment of LaShawnda Nielsen, Dispatcher, grade 21, step 1, effective July 8, 2013. 3. Receive & file - Notice of appointment of Neli Volz, Corrections Officer, grade 21, step 1, effective July 10, 2013. 4. Receive & file - Notice of intent to fill scheduled retirement position in Sheriff's Office Dispatch. 5. Receive & file - Notice of FMLA leave of Mike Oates, effective July 18, 2013 and intent to fill Motor Equipment Operator position. B. Positions scheduled for no replacement at this time: None. C. Other: 1. Approve - Extended Disability Leave for Naomi Vredenburg, Accounting Technician, effective July 28, 2013 through October 28, 2013. 2. Receive & file - Notice of probation completion for Denise Flicker, Collections Officer, Grade 20, Step 04, on July 7, 2013.

Approve licenses - Tobacco - Anderson's Horseshoe Bay Lodge - Anderson's Horseshoe Bay, LLC, Turtle Lake. Gambling - Eagle Country Snowmobile & ATV Club @ the Sportsman's Pub on September 6, 2013- Ross Hogate - Remer Twp; Northland Booster Club, Inc @ Deer Haven on August 24, 2013, Thunder Lake. On-Sale 3.2 Beer - Pineridge Grouse Camp - Pineridge Grouse Camp, LLC, Inguadona. Set-Up - Pineridge Grouse Camp - Pineridge Grouse Camp, LLC, Inguadona. Wine/Beer - Pineridge Grouse Camp - Pineridge Grouse Camp, LLC, Inguadona.

Receive & file - Timber auction results of June 27, 2013 totaling 4,815.00 cords plus 29.20mbf saw timber totaling \$115,143.00.

Authorize - 2nd quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

M/S/P Dowson, Kangas – To award bid to haul material and repair section of Artic Snowmobile Trail in Sec. 20, Crooked Lake Twp. to Holmvig Excavating in the amount of \$17.00/yd, source of funds to be trail maintenance account. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Holmvig Excavating, LLC	\$17.00/yard
Schrupp Excavating, LLC	\$20.00/yard
Outing Sand and Gravel	\$22.00/yard

Accept - Grants dollars from MN DOC for Probation Dept. for FY2014 - FY2015, Caseload/Workload Reduction grant continuation in the amount of \$44,364/yr., and FY2014 - FY2015 REAM grant in the amount of \$8,500.00/yr.

Refer - Initiative Foundation 2014 budget request in the amount of \$17,000.00 to the Citizen Budget Committee for comment.

Receive & file - Correspondence from the Corps of Engineers, Department of the Army regarding zebra mussel management on Leech Lake.

Approve - Resolution No. 29-13 agreement with Highway Dept. and MN Public Safety, for a 50'X100' motorcycle skill test course.

Commissioner Dowson offered Resolution No. 29-13 and moved its adoption; Commissioner Kangas seconded:

Whereas; the State of Minnesota, Department of Public Safety, requires an area of land approximately 50'X100' to be used as a motorcycle skill test course during the summer months, and

Whereas; the Cass County Highway Department has a section of parking lot that would be suitable for this use.

Now, Therefore, Be it Resolved, that the Cass County Board authorizes the County Engineer to enter into a three-year agreement with the State of Minnesota for this purpose.

Resolution No. 29-13 was adopted by majority vote: Ayes. Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Receive & file - MN State Demographer population estimates for 2012.

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

Approve - HHVS Purchase of Service contract from June 3, 2013 (on-going) with Rural MN CEP, and a non-financial contract with Nystrom & Associates, Ltd. from June 21, 2013 through Dec. 31, 2013 (no contract term changes).

Approve - Central MN Emergency Medical Services Region's Joint Powers Board Agreement.

Approve - Four Cass County Family Center quarterly progress reports and payment of quarterly expense claims totaling \$15,460.00.

Approve - City of Walker appointment of Charolette Hines as Driver's License Agent, effective July 16, 2013.

Approve - Cass County HHVS's adoption of MN Merit Systems EEO/AA Plan in accordance to MN Office-Equity and Agency Development's DHS Bulletin #13-89-01.

Receive & file - Quarterly report of litigated claims.

Receive & file - LCCMR summer schedule to include stops in Cass County (Winnemucca Farms, Conservation Easements on Ten Mile Lake, and Deep Portage tour) on July 17 and July 18, 2013.

Approve - Letter of support for LSOHC FY 2015 proposal "Statewide AIS Facilities and Equipment" to control the movement and prevent spread of AIS.

- 2B. County Administrator Yochum reported the Personnel Committee of the Board (Downham, Dowson) recommendation to approve labor contract terms discussed at the AFSCME HHVS Unit mediation hearing of Tuesday, July 9, 2013. Mr. Yochum explained that the financial terms are the same as all other units and that the HHVS Unit variable work schedule will be the same as AFSCME Courthouse Unit for employees hired after August 01, 2013. Administrator Yochum also reported that the AFSCME Health, Human, and Veteran Services Unit have voted to accept the 2013-2014 agreement as presented.

M/S/P Kangas, Peterson – To approve the execution of a labor contract for years 2013 and 2014 with Local #2195 AFSCME Health, Human, and Veteran Services Unit as presented. Unanimous.

- 3A. Probation Director Jim Schneider discussed the need for a remodel project in the Probation Department at an estimated cost of \$25,464.88. An open floor plan with limited modular separation would be replaced with four private offices which will allow agents to gain privacy for the clients they serve. The project is contemplated in the current Capital Improvement Plan at an estimated cost of \$50,000.00.

<u>Bidder</u>	<u>Bid Amount</u>
Glenn Construction	\$12,696.93
Dow Acoustics:	
Probation North Office	\$1,080.00
Probation South Office	\$1,980.00
RW Electric	\$1,930.00
Viking Automatic Sprinkler Co.	\$1,500.00
Painting supplies	\$500.00
North Country Business Products	\$5,777.95

M/S/P Peterson, Kangas – To approve the remodel project in the Probation Department as presented not to exceed \$26,000. Unanimous.

- 4A. Cass County Extension Committee member Susan Wake explained that each year the local County Extension Committee selects a farm family and submits their recommendation to the University of MN. The criteria for nomination is that the farmer is a Minnesota food producer that is actively involved in agricultural production with one or more agricultural enterprises and have some involvement in their communities. Ms. Wake informed the Board that Bruce and Julie Martin have been selected as the Cass County Farm Family for 2013 noting a real enthusiasm for local agriculture. The Martins discussed the history of the Church Road Dairy Farm that was started in 1982, and current operations of their farm including 400 head of Holstein cows and 700 acres of corn and alfalfa, as well as being a corporate board member of the Associated Milk Producers Inc. The Board congratulated Mr. & Ms. Martin as the 2013 Cass County Farm Family.
- 5A. MN State Senator Paul Gazelka (District 9) discussed the 2013 Legislative session including the State's budget, ARMER sales tax exemption, county program aid, and property tax market value exclusion. The Board thanked Mr. Gazelka for the update. No action required.
- 6A. Auditor-Treasurer Sharon Anderson summarized the Ad-Hoc Business Subsidy Committee (Gaalswyk, Kangas) meeting of Tuesday, July 2, 2013. Ms. Anderson distributed the committee draft Business Subsidy Criteria Policy and the draft Tax Increment Financing Plan for the Reed's Distribution Center project (Housing & Redevelopment Authority Redevelopment Project No. 6, TIF District No. 6-1). Auditor-Treasurer Anderson also reported that the draft Business Subsidy Policy and the draft TIF Plan will be posted on the county website prior to the hearing scheduled during the Tuesday, August 6, 2013 regular Commissioners Board Meeting. No action required.
- 7A. Cass County Economic Development Corporation Executive Director Gail Levenson presented the Cass County EDC Activity Report for June 2013. No action necessary.
- 7B. Cass County Economic Development Director Gail Levenson presented the annual Cass County EDC update. The focus of the EDC continues to be creating new jobs through technical assistance. Projects completed since July 2012 include 5 new businesses, 2 business expansions, and 2 involving job retention. 41 new jobs were created and related investments \$3.6M. Projects were located throughout the County including: Walker, Pine River, Longville, Lake Shore, Backus, Pillager and Cass Lake. Ms. Levenson added that the EDC has just completed a three-year Small Cities grant in Hackensack and Walker with nine housing units and eleven commercial units completed (total investment was \$716,694). Ms. Levenson thanked the Board for Cass County's continued support of EDC and invited the Board to the Cass County EDC annual meeting on October 25, 2013 at Chase Hotel, Walker, MN. No action necessary.
- 8A. Land Commissioner Josh Stevenson presented results from the land sale that was held on Saturday, June 29, 2013. Mr. Stevenson informed the Board that four of the eighteen parcels were sold for a total amount of \$271,300.00, and six parcels sold over the counter prior to the land sale totaled \$149,000.00. All of the parcels sold are State deeded County Administered land proceeds which will be distributed in the 2013 tax forfeit settlement, and the unsold tracts will continue to be available "over the counter".

M/S/P Kangas, Gaalswyk – To receive & file results from the land sale held Saturday, June 29, 2013 in the amount of \$271,300.00, and over the counter sales of \$149,000.00. Unanimous.

8B. Mr. Stevenson informed the Board that the Land Department is interested in working with other counties in northern Minnesota regarding a comprehensive look at forest inventory. Mr. Stevenson explained a grant application being prepared for consideration by the Legislative - Citizen Commission on Minnesota Resources (LCCMR). The proposal "Redesigned Updating of State & County Forest Inventories" will be submitted by the Minnesota Department of Natural Resources (DNR) in partnership with the Minnesota Association of County Land Commissioners (MACLC). The proposed inventory would provide natural resource data that can benefit wildlife habitat restoration, water quality protections, invasive species controls, hunting, and other recreation opportunities in the Counties of Aitkin, Becker, Beltrami, Carlton, Cass, Clearwater, Cook, Crow Wing, Hubbard, Itasca, Koochiching, Lake, Lake of the Woods, Pine, and St. Louis.

M/S/P Dowson, Kangas – To approve a letter of support for a grant application being prepared for consideration by the Legislative - Citizen Commission on Minnesota Resources (LCCMR) titled "Redesigned and Updating of State & County Forest Inventories". Unanimous.

9A. Sheriff Tom Burch, and Emergency Management Coordinator Kerry Swenson reported that the structural analysis of the Pillager tower indicates it is feasible to move the ARMER antenna position from 350 feet to 450 feet, thus significantly expanding signal coverage in the Pillager area. The cost to move the equipment would be approximately \$25,000.00 and a working estimate of the tower rental fee would change from \$1,350.00 to \$1,500.00 per month. Mr. Swenson added that the ARMER project budget included \$41,000 for signal improvements.

M/S/P Kangas, Gaalswyk – To approve the Pillager tower site improvements as presented, and further approve a tower rental lease not to exceed \$1,500.00 per month. Unanimous.

9B. Mr. Swenson invited the Board to participate in the upcoming Homeland Security and Emergency Management (HSEM) training opportunities. No action required.

10A. Chief Financial Officer Larry Wolfe explained the budget amendments for FY2012. The Board also discussed the role of the Citizen Budget Committee regarding the budget amendments.

M/S/P Downham, Gaalswyk – To approve the FY2012 budget amendments as presented. Unanimous.

**CASS COUNTY
2012 BUDGET AMENDMENTS
FOR BOARD APPROVAL 07/16/2013**

		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>CHANGE</u>
MIS				
01-060.6268	Data Processing Services - MCIS	41,000	58,000	17,000
01-060.6308	Maintenance Service Contracts - Software	12,121	23,121	11,000
	Total Change			28,000

To amend budget for increased share of MCIS Costs, E Time Sheet Maintenance, ARC View Licenses
Source: Unassigned Fund Balance

Recorder				
01-100.6603	Tech Fund Expenditures	41,400	156,400	115,000

To amend budget for technical equipment upgrades
Source: Restricted Recorders Tech Fund Balance

Building & Grounds				
01-112.6606	Capital Outlay - Equipment	0	240,000	240,000

To establish budget for LP Conversion, Pipeline, Tank relocate, and Safety Project
Source: Unassigned Fund Balance

Sheriff				
01-200.6102	Salaries/Wages Permanent	2,143,718	2,150,718	7,000

01-200.6103	Salaries/Wages Temporary	153,917	191,917	38,000
01-200.6105	Salaries/Wages Overtime	150,000	221,000	71,000
01-200.6106	Salaries/Wages Bailiff	65,000	71,000	6,000
01-200.6155	Employer Cafeteria Contribution	511,487	522,487	11,000
01-200.6162	Employer PERA	301,246	350,246	49,000
01-200.6172	Employer FICA	72,594	86,594	14,000
01-200.6295	Positron Computer Services	31,000	37,000	6,000
01-200.6349	Rents Leases Towers & Other	20,000	32,000	12,000
01-200.6565	Gasoline	175,000	215,000	40,000
	Total Change			254,000

To amend budget for severance pay, position changes, computer services, tower leases and fuel for squads.
Source: Unassigned Fund Balance

Medical Examiner

01-222.6299	Other Professional Services	90,000	115,000	25,000
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To amend budget for increased activity in the Medical Examiners Department
Source: Unassigned Fund Balance

County Jail

01-250.6603	Capital Outlay	5,237	221,517	216,280
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To amend budget for amortization of prepaid asset (Crow Wing Pod)
Source: Prepaid Asset Account

Sentence to Serve

01-251.6102	Salaries/Wages Permanent	48,263	60,263	12,000
01-251.6155	Cafeteria Contribution	11,100	14,100	3,000
	Total Change			15,000

To amend budget for position change and severance.
Source: Unassigned Fund Balance

Emergency Services

01-280.6299	Prof Services - ARMER 800 mhz Project	0	450,000	450,000
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To establish budget for expenditures related to the ARMER 800 mhz Project
Source: Grants and Committed Fund Balance

Environmental Services

Planning & Zoning

01-801.6102	Salaries/Wages Permanent	150,040	166,040	16,000
01-801.6103	Salaries/Wages Temporary	0	4,600	4,600
01-801.6155	Employer Cafeteria Contribution	32,745	36,745	4,000
01-801.6162	Employer PERA	10,879	13,879	3,000
01-801.6172	Employer FICA	11,478	14,478	3,000
01-801.6299	Other Professional Services	10,000	32,000	22,000
01-801.6561	County Car Repair	250	2,550	2,300
01-801.6565	Gasoline	5,750	8,750	3,000
01-801.6603	Capital Outlay - Copier Charges	15,000	25,000	10,000
	Total Change			67,900

To amend budget for permanent and temp wages, inspections and professional charges, car repair, gasoline, capital expenses

Source: Unassigned Fund Balance

Special Projects

01-801-594.6299	Other Professional Charges	183,993	203,993	20,000
01-801-594.6379	Miscellaneous Charges	0	46,000	46,000
	Total Change			66,000

To amend budget for Lake Association projects
Source: Grants, Fees and Assigned Fund Balance

Total General Fund Changes	1,477,180
Total from Unassigned Fund Balance	629,900
Total from other sources	847,280

Road & Bridge

Department 313 - Maintenance

03-313.6281	Misc Services	10,000	110,000	100,000
03-313.6297	Road Maint Service & Town Road Apportionment	35,000	495,000	460,000
03-313.6299	Other Professional and Technical Services	50,000	362,000	312,000
03-313.6512	Culverts	30,000	70,000	40,000
03-313.6520	Sand & Salt	110,000	190,000	80,000
03-313.6524	Striping	80,000	125,000	45,000
03-313.6526	Calcium Chloride	600,000	690,000	90,000
	Total Change			1,127,000

To amend budget for additional professional services and materials needed
Source: Town Road Apportionment, Storm Reimbursements, Charges for Services & Assigned Fund Balance

Department 313 - Construction

03-313.6604	Capital Outlay Construction	2,875,000	6,375,000	3,500,000
03-313.6620	County Road Construction	850,000	950,000	100,000
	Total Change			3,600,000

To amend budget for additional construction projects
Source: Advance from State, Assigned Fund Balance, Cost Sharing, Grants and Awards.

Total Road & Bridge Fund Changes	4,727,000
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Capital Fund

33-651.6299	Other Professional and Technical Services	0	3,500	3,500
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To establish budget for Deep Portage LCCMR Energy Project
Source: LCCMR Energy Grant & Deep Portage Funds

Total Capital Fund Changes	3,500
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Unorganized Township Fund

45-124.6281	Misc Service - Roads	250,000	470,000	220,000
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To amend budget for 5 year gravel program
Source: Assigned Fund Balance

Total Unorganized Township Fund Changes 220,000

Forfeited Tax Fund

71-032.6298	Contracted Services	120,000	210,000	90,000
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To amend budget for contracted survey projects
Source: Restricted Fund Balance

Total Forfeited Tax Fund Changes 90,000

Environmental Trust

73-001.6612	Land Asset Management	0	25,000	25,000
73-001.6807	Environmental Trust - Trails	0	115,000	115,000

To amend budget for Shingobee, Lake Shore trail improvement projects, Pillager storm water project
Source: Restricted Fund Balance

Total Environmental Trust Fund Changes 140,000

Grand Total All Funds 6,657,680

10B. Mr. Wolfe presented the 2013 forfeited tax settlement (2012 receipts) and proposed distribution of \$1,396,809 as follows: reforestation \$349,202, trails \$209,521, general revenue \$335,235, eligible school districts \$335,234, and \$167,617 to eligible townships and cities.

M/S/P Peterson, Kangas – To approve the 2013 forfeited tax settlement (2012 receipts) in the amount of \$1,396,809.00 and distribution of the same to Cass County taxing jurisdictions as presented. Unanimous.

11A. County Highway Engineer David Enblom and Highway Construction/Design Engineer Laura Hadrava presented bids that were opened on Tuesday, July 16, 2013 for a bridge project across the Boy River on CSAH No. 8 (S.P. 011-608-015).

Project No.: SP 011-608-015 – Replace Bridge No. 11503 on CSAH No.8
Engineers Estimate - \$941,021.50

<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Swingen Construction Co.	\$1,153,792.80	22.61% Over Estimate
Redstone Const. Co., Inc.	\$1,181,651.95	25.57% Over Estimate
Robert R. Schroeder Construction, Inc.	\$1,218,377.75	29.47% Over Estimate

M/S/P Dowson, Downham - To award the bid to the apparent low bidder for Project No.: SP 011-608-015 Replace Bridge No. 11503 on CSAH No.8 to the apparent low bidder of Swingen Construction Co. in the bid amount of \$1,153,792.80, contingent upon approval by MnDOT and the Leech Lake Tribal Council. Unanimous.

11B. Mr. Enblom discussed the final MPCA Stipulation Agreement for SAP 11-617-05 – CSAH No.17 project. The agreement provides that Tri-City Paving and Cass County pay a \$38,000.00 civil penalty to the MPCA for alleged storm water violations (discharge of sediment-laden stormwater causing significant material discoloration in wetlands and Mayo Creek all of which were within or immediately adjacent to the site) during reconstruction of CSAH No.17.. Mr. Enblom reported that Tri-City Paving’s penalty is \$29,250.00 and Cass County’s penalty is \$8,750.00 based upon mutually agreement of assigned liabilities.

M/S/P Gaalswyk, Dowson – To approve execution of the final MPCA Stipulation Agreement for SAP 11-617-05 – CSAH No.17 project as presented, and further, to approve Cass County’s payment of the civil penalty in the amount of \$8,750.00. Unanimous.

11C. Assistant County Engineer Kris Lyytinen requested Board approval to amend the Highway Department capital equipment replacement program by moving the planned purchase of a mower tractor combination from year 2016 @ \$80,750 to 2014. Mr. Lyytinen reported that the Highway Department is testing a New Holland Model TS6.125 tractor with a Diamond bat-wing mower at a purchase price of \$75,774.38. The Board discussed the lease and purchase alternatives noting the sales tax exemption status for purchases after January 01, 2014.

M/S/P Kangas, Dowson – To approve amending the Highway Department capital equipment replacement program by moving the planned purchase of a mower tractor combination from year 2016 @ \$80,750 to year 2014, and further to authorize rental of a New Holland Model TS6.125 tractor with a Diamond bat-wing mower for the 2013 season. Unanimous.

12. County Administrator Yochum confirmed the upcoming meeting schedule.

13. Chairman Downham adjourned the meeting at 7:30 p.m.

SIGNED: _____
Dick Downham Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator