

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
September 3, 2013**

- 1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, September 3, 2013, with the flag pledge, in the Board Room of the Courthouse Annex, Walker, 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
Sharon Anderson	Auditor-Treasurer	Josh Stevenson	Land Commissioner
David Enblom	Highway Engineer	Jim Schneider	Probation Director
Christopher Strandlie	County Attorney	Tim Richardson	Central Services Director
Tom Burch	Sheriff	Mary Tennis	STS
Chad Emery	STS	Mark Beard	Self
Darrick Anderson	Bolton & Menk, Inc.	Gail DeBoer	Pilot Independent
Allan Olson	Cass Lake Times		

- 1B. M/S/P Kangas, Peterson – To approve the agenda items for discussion as presented and the addition of Item 7. (Invitation to attend Advanced Court and Building Security class on October 16, 2013, Anoka County Sheriff's Office, Andover, MN). Unanimous.

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

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

Approve - Board Minutes of August 20, 2013.

Approve - Auditor warrants dated August 15, 2013 in the amount of \$614,278.73.

Approve - Auditor warrants dated August 22, 2013 in the amount of \$722,804.39.

Approve - HHVS Commissioner warrants dated August 23, 2013 in the amount of \$203,522.60.

Approve - HHVS Auditor warrants dated August 23, 2013 in the amount of \$100,550.10.

Approve personnel items - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of probation completion for Rachel Stone, Home Health Aide, Grade 13, Step 06, on August 12, 2013. 2. Receive & file - Notice of resignation of Kendra Vogt, effective September 7, 2013, and Receive & file - Notice of intent to fill budgeted County Agency Social Worker position vacated by Kendra Vogt Grade 28. 3. Receive & file - Notice of intent to fill budgeted Sheriff's Office Recreation position, grade 27. 4. Receive & file - Notice of appointment of Jolene Hemp to full time (from part-time) Correction Officer, grade 21. Positions scheduled for no replacement at this time: 1. Receive & file - Layoff notice to Kim Johnson, HHVS – Lead Eligibility Worker, grade 22, effective September 20, 2013 per July 2, 2013 Board Action. 2. Receive & file - Layoff notice to Wanda Reed, HHVS – Lead Eligibility Worker, grade 22, effective September 20, 2013 per July 2, 2013 Board Action. Other. None.

Receive & file - HHVS Cash Account Balance Comparison and Child Service Costs through July 2013.

Receive & file - Leech Lake Band 2013 Annual Report.

Approve - Resolution No. 38-13 Federal Boating Safety Supplement Grant Agreement (CFDA#97.012/PO#67183).

Commissioner Peterson offered Resolution No. 38-13 and moved its adoption, and Commissioner Kangas seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2013 Federal Boating Safety Supplement Grant Agreement (CFDA#97.012/PO#67183) in the amount of \$8,138.00 with the State of Minnesota Department of Natural Resources, and authorizes signature of the Chairman, Auditor or Administrator and Sheriff to execute the Agreement.

Resolution No.38-13 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Gaalswyk.

Approve - Resolution 39-13 State of MN Joint Powers Agreement on MN Internet Crimes Against Children Task Force (MICAC) (Contract #62628) from September 3, 2013 through May 31, 2016.

Commissioner Peterson offered Resolution No. 39-13 and moved its adoption, Commissioner Kangas seconded:

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS
AGREEMENTS WITH THE COUNTY OF CASS ON BEHALF OF ITS
COUNTY ATTORNEY AND SHERIFF'S OFFICE

WHEREAS, the County of Cass on behalf of its Prosecuting Attorney and Sheriff's Office desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County of Cass is eligible. The Joint Powers Agreement further provide the County of Cass with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County of Cass to pay the costs for the network connection.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Commissioners of Walker, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the Cass County Sheriff's Office on behalf of its Prosecuting Attorney and Sheriff's Office, are hereby approved. Copies of three Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the Sheriff, Tom Burch, or his or her successor, is designated the Authorized Representative for the Cass County Sheriff's Office. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the Cass County's connection to the systems and tools offered.
3. That the County Attorney, Christopher Strandlie, or his or her successor, is designated the Authorized Representative or the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the Cass County's connection to the systems and tools offered by the State.
4. That Richard Downham, the Board Chairman of the Cass County Board of Commissioners and Robert H. Yochum, the County Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Resolution No. 39-13 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Gaalswyk.

M/S/P Peterson, Kangas – To accept the quote for propane for the 2013-2014 heating season from the apparent low bidder of Ferrellgas at a rate of \$1.375 per gallon delivered by transport semi-trailer and a rate of \$1.394 per gallon delivered by bulk truck. Unanimous.

Quotes are based on estimated gallons of transport of 52,000, and bulk of 35,800

<u>Bidder</u>	<u>Bid per gallon</u>	<u>Estimated gallons</u>	<u>Total estimated gallons</u>
Lakes Gas Co.	Transport \$1.440	\$74,880.00	
	Bulk \$1.580	\$56,564.00	\$131,444.00
Gas Service Co.	Transport unable to quote fixed		
	Bulk \$1.359	\$48,652.20	\$48,652.20
Ferrellgas	Transport \$1.375	\$71,500.00	
	Bulk \$1.394	\$49,905.20	\$121,405.20

Receive & file - Timber auction results of August 29, 2013 - 3,281 cords plus 33.50 mbf saw timber totaling \$67,195.00.

Establish - Special meeting for Cass County Department Head performance evaluations - October 22, 2013 beginning at 9:00 a.m., Commissioners Board Room, Courthouse Annex, Walker, MN.

Amend - Independent contractor Professional Service Agreement with Jon Eclov to include additional hearing officer duties including tobacco ordinance appeals.

- 2B. County Administrator Robert Yochum discussed the Citizen Budget Committee meeting of August 23, 2013 including the recommended preliminary property tax levy and the schedule for additional budget review by the committee. Mr. Yochum also presented a summary of the 2014 budget reference materials, and departmental requests to date (both of which are posted on the County website). The Board discussed the budget requests including the Medical Examiner trends.

M/S/P Dowson, Peterson – To appoint a Committee of Commissioner Dowson, County Attorney Christopher Strandlie, and Sheriff Tom Burch to study Medical Examiner trends. Unanimous.

- 2C. Chief Financial Officer Larry Wolfe presented Resolution No. 40-13 approving the preliminary 2014 property tax levy as recommended by the Citizen Budget Committee and establishing a public hearing on the adoption of Cass County's tax levy for 2014 on Tuesday, December 3, 2013, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Commissioner Dowson offered Resolution No.40-13 and moved its adoption, Commissioner Kangas seconded:

WHEREAS, M.S. 275.065 requires the County Board to adopt a proposed property tax levy prior to September 15, 2013, and

WHEREAS Cass County must include in its tax levy the amount necessary to operate the Longville Ambulance Subordinate Service District (LASSD) established under M.S. 375B,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners do hereby approve the following preliminary property tax levies for 2014 in the stated amounts:

	<u>Preliminary 2014</u>	<u>Final 2013</u>	<u>Difference</u>
Net County Levy	\$19,585,613	\$19,585,613	<u>0</u>
LASSD Levy	<u>461,000</u>	<u>461,000</u>	<u>0</u>
Preliminary Net Certified Levy	\$20,046,613	\$20,046,613	0
Estimated Preliminary County Rate	30.948%	30.268%	+2.25%
Estimated Preliminary Rate within LASSD	34.922%	34.147%	+2.27%

BE IT FURTHER RESOLVED that a public hearing on the adoption of Cass County's tax levy for 2014 will be held December 3, 2013, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Resolution No. 40-13 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Gaalswyk.

- 2D. Chief Financial Officer Larry Wolfe presented Resolution No. 41-13 approving the preliminary 2014 property tax levy as recommended by the Citizen Budget Committee establishing the preliminary 2014 property tax levy for Unorganized Townships.

Commissioner Peterson offered Resolution No. 41-13 and moved its adoption, Commissioner Kangas seconded:

WHEREAS, the Cass County Board of Commissioners acts as township authority for unorganized areas of Cass County, and

WHEREAS, the Cass County Board has considered revenue projections, levy data, and budget needs of the unorganized areas of Cass County for 2014,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners do hereby approve the following preliminary property tax levies for 2014 for Cass County unorganized townships:

	<u>Preliminary 2014</u>	<u>Final 2013</u>
UNORGANIZED NET LEVY	\$245,000	\$245,000

BE IT FURTHER RESOLVED that a public hearing on the adoption of Cass County's unorganized township tax levy for 2014 will be held December 3, 2013, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Resolution No. 41-13 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Nays: None. Absent: Gaalswyk.

3. Auditor-Treasurer Sharon Anderson summarized the Ad Hoc Board Committee (Gaalswyk and Kangas) meeting of August 20, 2013 regarding county ditch #9. After discussion of related MN Statutes including 103E.705 or 103E.715 with the petitioners the committee recommends that the Board table the repair petition as proposed, establish a public hearing for September 26, 2013, and direct the Auditor-Treasurer and Highway Engineer to seek quotes for the proposed work and develop a project budget for consideration at the public hearing.

M/S/P Kangas, Peterson – To approve the Ad Hoc Board Committee recommendations to table the repair petition as proposed, to establish a public hearing for September 26, 2013, and to direct the Auditor-Treasurer and Highway Engineer to develop a project budget for consideration at the public hearing. Unanimous.

- 4A. Land Commissioner Josh Stevenson informed the Board of a request from the MNDNR for the placement monitoring wells located on county administered land in the Farnham WMA near the recent Winnemucca Farms purchase from Potlatch in Sec. 18, T135N(Byron Twp.), R32W. Mr. Stevenson added that the request is consistent with language in our Forest Resource Management Plan regarding to the monitoring and assessment under section 1.3 subd 8 in regards to certification, and also noted that the County will not incur any costs associated with the wells installation, maintenance, access, or closing of the wells when the monitoring is complete.

M/S/P Kangas, Peterson – To approve an agreement with the MNDNR for placement of monitoring wells on county administered land located in the Farnham WMA near the Winnemucca Farms in Section 18, T135N(Byron Twp.), Range 32W. Unanimous.

- 4B. Mr. Stevenson presented correspondence from the National Forest Counties & Schools Coalition dated August 28, 2013 requesting support for H.R. 1526 amending the Secure Rural Schools and Community Self-Determination Act of 2000.

M/S/P Kangas, Peterson – To table a letter of support, and further, refer H.R.1526 to Cass County Land Department staff and Cass County's congressional delegation for more information. Unanimous.

5. Probation Director Jim Schneider reported the status of the Probation Department remodeling project, and requested funding to convert two former record vaults to more usable office space. The scope of work includes installing support beams, ventilation modifications, sprinkler system additions and carpeting. The total estimated cost would add approximately \$11,900 to \$15,100 to the previously authorized capital improvement.

Mr. Schneider also acknowledged the outstanding work by the Sentence To Service Crew, the direction and coordination of the Jail Program Coordinator Mary Tennis, and STS Crew Leader Chad Emery, Construction Manager Mark Beard, Central Services Director Tim Richardson and Maintenance Mechanic Cecil Louks.

M/S/P Dowson, Kangas – To approve additional estimated cost of approximately \$11,900 to \$15,100 to the previously authorized capital improvement for Probation Department remodeling. Unanimous.

M/S/P Dowson, Kangas – To recognize the Sentence To Service Crew Program of their outstanding service to Cass County. Unanimous.

6. County Attorney Christopher Strandlie acknowledged an inquiry from a member of the public regarding the application of the open meeting law as it relates to the Cass County Board of Commissioners scheduled tour of the Sappi Paper Mill in Cloquet, MN on Tuesday, September 10, 2013. Mr. Strandlie noted that the paper mill facility has a no press allowed policy. After a review of MN Statutes Chapter 13D (open meeting law) and related case law County Attorney Strandlie recommended that no more than two members the Board at a time participate in the tour in view of the Sappi Paper Mill facility policy.

M/S/P Dowson, Kangas – To cancel the Board of Commissioner's tour of the Sappi Paper Mill, Cloquet, MN scheduled for Tuesday, September 10, 2013 and, authorize Commissioner's Gaalswyk and Peterson to attend the scheduled tour. Unanimous.

7. Sheriff Tom Burch invited the Board to attend the "Advanced Court and Building Security Class" on Wednesday, October 16, 2013 beginning at 8:30 a.m. at the Anoka County Sheriff's Office, Andover, MN. By consensus, the Board authorized attendance at the training.

8. County Administrator Yochum confirmed the upcoming meeting schedule: a. 911 observance on Wednesday, September 11, 2013, beginning at 9:00 a.m., Veterans Podium, Courthouse Lawn, Walker, MN. b. County Board Meeting in Commissioner District #4 Tuesday, September 17, 2013 6:00 p.m. at Smoky Hollow Township Hall, 8968 42nd Street NE, Swatara, MN. c. Cass County/Leech Lake Band of Ojibwe Wellness Court Graduation, Thursday, September 19, beginning at 4:00 p.m., Walker City Park, Walker, MN.
9. Chairman Downham adjourned the meeting at 10:25 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator