

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
October 1, 2013**

- 1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, October 1, 2013, with the flag pledge, in the Board Room of the Courthouse Annex, Walker, 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	Josh Stevenson	Land Commissioner
Reno Wells	HHVS Director	Jami Richter	Director of Public Health Nursing
David Enblom	Highway Engineer	Kris Lyytinen	Highway Dept.
Laura Hadrava	Highway Dept.	Dale Yerger	Deep Portage
Tom Burch	Sheriff	Richard Archer	Landowner Ditch#9
John Ringle	ESD Director	Les Mateffy	Mateffy Engineering
Jocko Kline	Longville City Mayor	Nathan Tabaka	City of Longville Councilmember
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 2D. (Report on Federal shut down by HHVS Director Reno Wells). 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 September 17, 2013.

Approve - Auditor warrants dated September 12, 2013 in the amount of \$1,636,367.25.

Approve - Auditor warrants dated September 19, 2013 in the amount of \$278,308.26.

Approve - HHVS Commissioner warrants dated September 20, 2013 in the amount of \$138,967.01.

Approve - HHVS Auditor warrants dated September 20, 2013 in the amount of \$109,636.75.

Approve Personnel Items - A. Budgeted positions scheduled for replacement – 1. Receive & file - Notice of appointment of Casey Reynolds as Motor Equipment Operator, Grade 20, Step 1 effective October 21, 2013. 2. Receive & file - Notice of resignation of LeeAnn Sampson, Community Health Specialist, effective September 27, 2013, and Receive & file - Notice of intent to fill budgeted Community Health Specialist position, Grade 21, Step 01. 3. Receive & file- Notice of appointment of Kim Johnson, Lead Eligibility Worker, Grade 22, Step 10 to Eligibility Worker, Grade 20, Step 10 (current salary frozen until the range catches up) effective September 21, 2013. 4. Receive & file- Notice of appointment of Michelle Johnson, County Agency Social Worker - CPS, Grade 28, Step 1 effective October 7, 2013. 5. Receive & file- Notice of appointment of Molly Fischer, County Agency Social Worker, Grade 28, Step 1 effective October 14, 2013. 6. Receive & file- Notice of appointment of Wanda Reed, Lead Eligibility Worker, Grade 22, Step 10 to Eligibility Worker, Grade 20, Step 10 (current salary frozen until the range catches up) effective September 21, 2013. 7. Receive & file- Notice of appointment of Wanda Reed, Eligibility Worker, Grade 20, Step 10 to Financial Assistant Supervisor I, Grade 31, Step 3 effective September 28, 2013. 8. Receive & file- Notice of appointment of Katrina Miller, Eligibility Worker, Grade 20, Step 1 vacated by Wanda Reed effective September 28, 2013. 9. Receive & file – Notice of probation of Brad Mesenbrink as County Team Leader – Probation, grade 35, step 4, effective September 20, 2013. 10. Receive & file - Notice of appointment of Jessica Watts as Technical Support Specialist – MIS, grade 26, step 1, effective October 21, 2013. B. Positions scheduled for no replacement at this time: 1. Receive & file – Notice of retirement of Dennis Leff as Deputy Sheriff, effective October 15, 2013. 2. Receive & file – Layoff notice to Bradley Shoff, Jailer, grade 21, effective September 13, 2013. C. Other. 1. Receive & file - Notice of completion of temporary assignment of Katrina Miller, Office Support Specialist effective September 27, 2013.

Approve - On & Off Sale 3.2 Beer - Northland Lodge Resort - Michael O'Reilley, Unorganized.

Approve - Issuance of check to Jessica Kisrow in the stated amount of \$10.00.

Approve - Walker Area Joint Fire Department contract for Unorganized Township from January 1, 2013 through Dec. 31, 2013 in the amount of \$550.30/yr.

Receive & file - South Country Health Alliance equity reimbursement payment in the amount of \$235,627.66, and receive & file notice of October 15, 2013 prepayment for years 2014 and 2015 in the additional final payment amount of \$429,978.58.

Receive & file - Timber auction results of Sept. 26, 2013 of 1,830 cords totaling \$43,090.00.

Receive & file - HHVS Cash Account Balance Comparison and Child Service Costs through August 2013. Award - Contract to Area Lakes Well Drilling for sealing/abandonment of existing sand point well on tax forfeit Parcel #30-028-0002 (Pine Lake Township) in the amount not to exceed \$265.00.

Approve - Family Planning Special Projects Agreement with HHVS and Mahube-Otwa Community Action Partnership, Inc.

Receive & file - Early Childhood Collaboration Agreements with HHVS and Walker/Hackensack/Akeley and Pillager, and Pine River/Backus Schools.

Receive & file - Public Hearing on Sept. 30, 2013 for Conditional Use Permit in the City of Walker located at 401 Minnesota Ave. West.

Receive & file - Petition to vacate - All of Lakeview Avenue in the plat of Portage Lake south of Blackmar Road NW, appoint Commissioners Downham and Dowson, County Engineer Enblom to inspect the road, and establish a public hearing on Tuesday, November 5, 2013 during the meeting which will begin at 9:00 a.m., in the Boardroom, 1st Floor, Courthouse, Walker, MN.

- 2B. County Administrator Yochum presented meeting notes dated Friday, September 27, 2013 of the Citizen Budget Committee which included the status of area 2014 preliminary property tax levies and specific recommendations from the committee. Mr. Yochum reported that absent any subsequent requests from the Board of Commissioners the committee has concluded its review of the 2014 budget and recommends the following: 1.) that the HHVS Director through the HHVS advisory committee prepare drafts for County Board consideration to renew Family Center service contracts at a base funding level not to exceed \$75,000/yr. (same as FY 2011, 2012, 2013) and that up to an additional \$25,000/yr. be budgeted for related special projects, 2.) that the FY 2014 miscellaneous service budget is maintained at the FY 2013 level of \$84,100 and that any new requests or increases (\$9,650 to date) are moved to the contingency budget for possible consideration by the Board of Commissioners 3.) that the Kitchigami Regional Library request for FY 2014 be approved as submitted (\$342,336, a \$919 increase over FY 2013), and 4.) that the FY2014 proposed revenue budget be established in the amount of \$50,501,079 including a countywide property tax levy of \$20,046,613 and the FY2014 proposed expenditure budget be established in the amount of \$50,501,079 including a Commissioners contingency of \$344,077. By consensus the Board requested staff to promptly report back on the Family Center contracts and the miscellaneous service budget.

M/S/P Peterson, Kangas - To accept the Citizen Budget Committee recommendations as presented subject to additional public input following the December 03, 2013 public hearing. Unanimous.

- 2C. Mr. Yochum presented correspondence regarding a request from Northern Counties Land Use Coordinating Board to consider a membership with the lobbying group that includes eight northern County members (estimated dues \$2,500/yr.).

M/S/P Gaalswyk, Kangas – To respectfully decline the invitation of a membership to the Northern Counties Land Use Coordinating Board at this time. Unanimous.

- 2D. HHVS Director Reno Wells presented an update from the Department of Human Services Commissioner Lucinda Jesson regarding the Government shutdown and that DHS doesn't anticipate any effect on benefits to clients for health care, cash, food and other human service programs, including veteran's programs for October, and that MNsure and the Affordable Care Act implementation will not be impacted by the federal shutdown. While FFY2014 appropriations for some programs would not be available during a shutdown, DHS is currently still accessing federal funds from previous years' awards, or have state funding to cover these programs in the short term. Mr. Wells added that DHS is uncertain at this point what will happen if the shutdown were to continue beyond October, but the DHS staff are closely monitoring developments and receiving information from federal program representatives. Mr. Wells concluded that if the shutdown continues DHS and other State agencies will provide additional information on program funding and any plans for communications with clients as soon as possible. No action taken at this time.

- 3A. Chief Financial Officer Larry Wolfe summarized the Insurance Committee meeting of September 27, 2013. Items discussed included: 2011 financial trends, 2012 budget estimates, and 2013 plan review. Mr. Wolfe reported unanimous recommendations from the Committee as follows: 1.) To recommend premium cost by plan and contribution calculation utilizing \$899,116 fund balance exposure dated September 27, 2013, 2.) To recommend the renewal summary of changes for 2014 as presented, 3.) To recommend 2014 plan administration contract renewals as follows: Cafeteria Plan Administration and Flex Accounts (TASC), Health Care Savings Accounts (BC/BS Select), Life Insurance (MN Mutual through Integrity), Short & Long Term Disability & Dental (Assurant through Integrity) and, 4.) To recommend open enrollment November 18, 2013 through December 2, 2013.

	<u>\$3,200 HSA DED</u>		<u>\$2500 DED</u>		<u>\$1500 DED</u>		<u>\$500 DED</u>	
	Single	Family	Single	Family	Single	Family	Single	Family
Monthly Total Premium	\$581.00	\$1,516.00	\$562.00	\$1,477.00	\$619.00	\$1,563.00	\$728.00	\$1,668.00
County contribution	\$1,012.00							

M/S/P Dowson, Gaalswyk – To approve the recommendations of the Insurance Committee as presented. Unanimous.

- 4A. Land Commissioner Josh Stevenson and Deep Portage Conservation Reserve Executive Director Dale Yerger discussed a Conservation Fund #73 request for the remodeling of a bog walk located at the Deep Portage Conservation Reserve. Mr. Yerger reported that the existing bog walk is near the end of its useful life, and would like to replace it before it becomes a hazard. The project consists of removing the existing 208' wood walk and replacing it with a 232' low maintenance walk structure with an expected life of 20 years. Design build estimates were received from three local vendors, and the Deep Portage Foundation selected a proposal from Prosocki All Care Service in the amount of \$32,818.78 as the best proposal based on design, experience, and installation timing. Mr. Stevenson added that the Foundation is requesting \$16,000 from Conservation Fund #73 as match to the project, and the Deep Portage Foundation will contract the work and cover any remaining costs.

<u>Bidder</u>	<u>Bid Amount</u>
Northwoods Dock & Service	\$35,775.00
Prosocki All Care Service	\$32,818.78
Lake Area Docks and Lifts of Brainerd and Crosslake, Inc.	\$27,490.00

M/S/P Dowson, Peterson - To approve utilizing the Conservation Fund #73 funds for the construction of the Deep Portage Conservation Reserve bog walk to be completed in 2013, not to exceed \$16,000.00. Unanimous.

- 4B. Mr. Stevenson informed the Board that the Land Department has been working with the MNDNR and the Over the Hills Gang on a Grant In Aid ATV Trail proposal, and that the final grant application has been approved and funding has been secured. Mr. Stevenson presented Resolution No. 46-13 which allows ATV's to share portions of County Road 58 as part of the GIA ATV Trail. The resolution is similar to the one that was passed for the City of Longville and the GIA ATV Trail within their city limits by Cass County Board of Commissioners Resolution No. 05-12 adopted on Tuesday, January 17, 2012. The Board noted receipt of a related thank you letter from the Over the Hills Gang Club.

Commissioner Peterson offered Resolution No. 46-13 and moved its adoption, Commissioner Kangas seconded:

Resolution Authorizing Operation of Special Vehicles on Certain County Roadways

Whereas, Minnesota Statute 169.045 states in part that a governing body may by ordinance authorize the operation of motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks on designated roadways or portions thereof under its jurisdiction, and

Whereas, the Townships of Crooked Lake and Beulah have supported the GIA ATV Application submitted by the Over the Hills Gang ATV Club, and

Whereas, Cass County is the local road authority for numerous County, County State Aid Highway (CSAH), and Unorganized Township roads within its borders, and

Whereas, the Over the Hills Gang ATV Club has requested Cass County to approve operation of said vehicles on roadways under County jurisdiction, more specifically portions of County Road 58, which partially lies within the Townships of Crooked Lake and Beulah borders.

NOW THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners, State of Minnesota

1. That motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks as defined by Minnesota Statute 169.045 are authorized to operate on the County designated roadway of County Road 58 located between State MN 6 and Sunset Hill Road in Crooked Lake Township.
2. That motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks as defined by Minnesota Statute 169.045 are authorized to operate on the County designated roadway of County Road 58 located between Morrison Lake Road and Arctic Snowmobile Trail in Beulah Township.
3. That such authorization is limited to operation in accordance with applicable State law as may be amended.
4. That at any such time that the Townships repeal authorization for the GIA ATV Trail provided by this resolution is also repealed.

Resolution No. 46-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4C. Mr. Stevenson discussed eleven tax-forfeited parcels located within the City of Pillager (nine of which are located in the subdivision of The Crossing) that have been previously authorized for sale to the public. Mr. Stevenson noted that in addition to the fair market value of the land the parcels are subject to substantial special assessments by the City. An additional 10 parcels may forfeit in 2014 and 2015. The City of Pillager has requested that the County convey the referenced parcels at a low or no cost basis to the City. Land Commissioner Stevenson reported that Commissioner Gaalswyk and County staff have been asked to attend a work session with the City Council on October 1, 2013 at 7:00pm. No action taken at this time.
- 5A. Assistant County Engineer Kris Lyytinen and Construction/Design Engineer Laura Hadrava presented Resolution No. 47-13 on Contract 60120 which included SAP 011-601-020 the reconstruction of CSAH1; SAP 011-617-005 the bridge replacement on CSAH 17; SAP 011-634-004 the pavement preservation on CSAH 34; CP 2012-1(109) the paving on CR 109; SAP 011-803-002 the pavement preservation on CSAH 203. Mr. Enblom added that final cost of contract 60120 was funded by County State Aid, Municipal State Aid, State bridge bonding and County road construction dollars in the aggregate amount of \$3,198,629.88.

Commissioner Kangas offered Resolution No. 47-13 and moved its adoption, Commissioner Peterson seconded:

WHEREAS: Contract No. 60120 (SAP 011-601-020; SAP 011-617-005; SAP 011-634-004; CP 2012-1(109); SAP 011-803-002) has in all things been completed, and the County Board being fully advised in the premises,
NOW THEN BE IT RESOLVED, that we do hereby accept said completed project for and in behalf of the County of Cass and authorize final payment as specified herein.

Resolution No. 47-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 5B. Highway Engineer Dave Enblom summarized a meeting with City of Longville regarding reconstruction of a portion of CSAH 7 from State 84 to County road 54. Mayor Jocko Kline explained that the City of Longville is in the process of obtaining funding to relocate and lower its sanitary sewer line along CSAH 7 as part of the 2014 MNDOT bridge project over the Boy River. Mr. Enblom added that this portion of CSAH 7 will be substantially destroyed by a sanitary sewer project and is otherwise due for repair, however, the project is not presently scheduled in the County 5 year Capital Plan. Mr. Enblom reported that the State Aid Municipal portion of the current 5-year plan could accommodate the City's request to coordinate projects in 2014 by moving approximately \$500,000 from the 2017 CSAH 77 project previously established at \$1,241,538 noting that substantial other funds must be obtained for that project to proceed. Engineer Enblom added he would contact the City of Lakeshore and explain the rationale for the plan amendment.

Dowson, Gaalswyk – To approve amending the County 5 year Capital Plan by adding a FY 2014 reconstruction project on a portion of CSAH 7 in the City of Longville as presented. Unanimous.

- 5C. Assistant County Engineer Kris Lyytinen reported back on Highway maintenance shops improvements that he and project manager Mark Beard recommend for the fall of 2013. Mr. Lyytinen presented cost estimates for furnace replacements and lighting upgrades to the shops located at Cass Lake, Hackensack, Longville, Pine River, and Pillager. In addition it was discussed that any floor repairs will wait until 2014. Mr. Lyytinen explained the potential benefits of the improvements and that competitive pricing is underway.

M/S/P Dowson, Peterson - To authorize staff to proceed with improvements at the Cass Lake, Hackensack, Longville, Pine River and Pillager Highway Shops with furnace replacements not to exceed \$75,000 and lighting upgrades not to exceed \$35,000 from Capital Improvement Plan fund balance. Unanimous.

- 6A. Auditor-Treasurer Sharon Anderson presented draft minutes of the County Board special meeting of September 26, 2013 regarding County Ditch No.9. Highway Engineer Enblom explained the proposed plan of work noting that a phased approach would be used to first trap beavers, identify the location and number of beaver dams and systematic removal of dams allowing for controlled flow release. No channel dredging or removal of dams with dynamite would be considered at this time. Auditor-Treasurer Anderson discussed a proposal to establish a \$30,000 levy for repairs to Ditch No. 9 with the option for installment payments over three years at an interest rate of 2% commencing in 2014. The proposed budget for the current work plan is estimated not to exceed \$25,000 and would leave a balance in the fund for on-going maintenance until such time as the project outcome can be evaluated and an on-going drainage levy considered in the future if appropriate.

M/S/P Peterson, Gaalswyk - To approve the County Board special meeting minutes as presented. Unanimous.

M/S/P Kangas, Gaalswyk - To approve a County Ditch No. 9 repair levy of \$30,000, to approve providing an option for payment of related assessments by installment payments over three years at an interest rate of 2% commencing in 2014, and to approve the proposed work program as presented for repairs to County Ditch No. 9 not to exceed \$25,000.00. Unanimous.

- 6B. Ms. Anderson presented the quarterly report of litigated claims. Auditor-Treasurer Anderson added that the Phelps (Boulder Shore Trust) vs. State of Minnesota Trustee and Cass County adverse possession case has been resolved in favor of the plaintiff and a state deed will be issued. No action necessary.

- 7A. Sheriff Tom Burch presented a law enforcement contract agreement with the City of Backus that will provide law enforcement services 8 hours per week at \$40.00 per hour if approved by the City beginning January 1, 2014.

M/S/P Peterson, Kangas – To approve the law enforcement contract agreement with the City of Backus providing services beginning January 1, 2014 upon approval by the City. Unanimous.

- 7B. Sheriff Burch informed the Board that the welfare fraud investigations formerly conducted by Deputy Leff will be assigned to existing staff as needed. No action necessary.

- 8A. County Administrator Yochum confirmed the upcoming meeting schedule: a. Cass County Department Heads Performance Evaluation's on Tuesday, October 22, 2013 beginning at 9:00 a.m. in the Commissioners Board Room, 1st Floor Annex, Courthouse, MN. b. AMC District II Meeting, on Wednesday, October 30, 2013, beginning at 8:00 am, at PrimeWest, 3124 Hannah Avenue, Bemidji, MN.

9. Chairman Downham adjourned the meeting at 10:40 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator