

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
October 15, 2013**

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

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
Christopher Strandlie	County Attorney	Josh Stevenson	Land Commissioner
David Enblom	Highway Engineer	Reno Wells	HHVS Director
Jeff Woodford	Veterans Service Officer	Jim Ballenthin	Self
Charles Senst	Inguadona Twp.	Roy Flohaug	Inguadona Twp.
Bill Maring	Inguadona Twp.	Gary Randorf	Inguadona Twp.
John Roscoe	Inguadona Twp.	Larry Rostead	Inguadona Twp.
Richard Cross	Inguadona Twp.	Larry L. Richards	Inguadona Twp.
Mike Rardin	Bolton & Menk, Inc.	Jim Sabas	Pine River City Mayor
Gail DeBoer	Pilot Independent	Jamie Richter	HHVS Public Health Nursing Director
Gail Leverson	Cass EDC		

1B. M/S/P Peterson, Gaalswyk – To approve the agenda items for discussion as presented and the addition of Item 2A23. (Accept quote for snow removal at Cass County Land Department buildings from Aspen Woods Lawn Services, Inc. not to exceed \$85.00 per hour) and Item 8B. (Invitation from the Department of Natural Resources to attend Camp Lake land donation from the Nature Conservancy - Thursday, October 2013 beginning at 11:00 a.m., Longville, MN). Unanimous.

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

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

Approve - Board Minutes of October 1, 2013.

Approve - Auditor manual warrants dated September, 2013 in the amount of \$583,790.57.

Approve - Auditor warrants dated September 26, 2013 in the amount of \$257,150.35.

Approve - Auditor warrants dated September 30, 2013 in the amount of \$1,591.00.

Approve - Auditor warrants dated October 3, 2013 in the amount of \$108,151.12.

Approve - Auditor warrants dated October 3, 2013 in the amount of \$151,270.68.

Approve - Auditor warrants dated October 15, 2013 in the amount of \$324,887.09.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated October 4, 2013 in the amount of \$87,087.87.

Approve - HHVS Auditor warrants dated October 4, 2013 in the amount of \$46,527.84.

Approve personnel actions - Budgeted positions scheduled for replacement: A. 1. Receive & file - Notice of appointment of Adam Mykkanen, Sheriff's Office Corrections Officer, Grade 21, Step 1 effective August 5, 2013. 2. Receive & file - Notice of appointment of Jay Mahon, Sheriff's Office Dispatcher, Grade 21, Step 1 effective October 19, 2013. 3. Receive & file - Notice of appointment of Susan Ostlund, Fiscal Supervisor II, Grade 31, and approve Step 5 effective October 14, 2013. 4. Receive & file - Notice of appointment of Sarah Smythe, Financial Assistance Supervisor I, Grade 31, Step 1 effective October 12, 2013 and receive & file - notice of intent to fill budgeted Eligibility Worker position vacated by Sarah Smythe, Grade 20. 5. Receive & file - Notice of appointment of Amy Asell, Office Support Specialist – 67 Day Temporary Position, Grade 6, Step 1 effective October 7, 2013 to continue assistance with scanning IMU caseloads for EMC workflow project. 6. Approve - Market adjustment of Highway Department's Maintenance Foreman (previous grade 26) to grade 28, effective October 26, 2013. 7. Approve - Market adjustment of Highway Department's Motor Equipment Operators (previous grade 20) to grade 21, effective October 26, 2013. 8. Approve - Market adjustment of Highway Department's Shop/Field Manager (previous grade 26) to grade 28, effective October 26, 2013. 9. Approve - Market adjustment of Highway Department's Senior Engineering Tech. (previous grade 26) to grade 28, effective October 26, 2013. 10. Approve - Market adjustment of Highway Department's Engineering Tech. I (previous grade 24) to grade 26, effective October 26, 2013. 11. Approve - New

position of Assistant Shop/Field Manager, grade 26 effective October 26, 2013. B. Positions scheduled for no replacement at this time: 1. Receive & file - Notice of probation completion of Denise Rittgers, County Assessor's Office – Account Clerk II, grade 17, step 3, effective October 16, 2013. 2. Receive & file - Notice of adjustment of retirement date for Deputy Sheriff Dennis Leff to December 31, 2013. C. Other. 1. Approve - Local #49'ers Highway Letter of Understanding regarding severance pay contribution to Post Employment Health Insurance Plan (PEHP).

Approve licenses – Tobacco - (2013) - The Corner Store Depot, LLC - WRD Holdings, LLC, Sylvan; (2014) - The Corner Store Depot, LLC - WRD Holdings, LLC, Sylvan. On & Off Sale 3.2 Beer - Iowana Beach Resort - Wilderness Retreat, LLC, Unorganized. Off Sale 3.2 Beer - The Corner Store Depot, LLC - WRD Holdings, LLC, Sylvan; Beckers Resort - Holter Holiday, LLC, Unorganized. Off Sale Intoxicating- Corner Store Liquors, LLC - WRD Holdings, LLC, Sylvan.

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

Authorize - Payment for 3<sup>rd</sup> quarter Longville Ambulance Subordinate Service District payment in the amount of 102,750.00.

Receive & file - Minnesota Office of State Auditor's Audit for the year ended December 31, 2012.

Receive & file - Correspondence from MCIT regarding amending the MCIT Joint Powers Agreement.

Approve - Correspondence supporting Trail #77 Legacy Trail Grant Application for the City of Lake Shore.

Receive & file - Correspondence from Deep Portage Conservation Reserve thanking Conservation Fund #73 for support for the Bog Walk Project, and approving submitting a letter to be included in Deep Portage Conservation Reserve time capsule.

Receive & file - Correspondence from Department of Human Services congratulating Cass County HHVS on successful work participation rates.

Approve - Cass County Family Center quarterly progress reports and payment of quarterly expense claims totaling \$22,505.00.

Accept - Donation in the amount of \$300.00 from American Legion Auxiliary #202 Hackensack for the Cass County VSO Transportation Program.

Approve - MN Department of Health grant agreement for Perinatal Hepatitis B Case Management, Childhood Immunizations (CFDA#93-268) Practices Improvement and participate in the AFIX Pilot Project Phase 2.

M/S/P Gaalswyk, Dowson – To accept the quote for snow removal at the Cass County Land Department Buildings from Aspen Woods Lawn Services, Inc. not to exceed \$85.00 per hour. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Aspen Woods Lawn Service, Inc.	\$85.00 per hour
Young Excavating, Inc.	\$150.00 per hour

- 2B. County Administrator Yochum presented the 2014 Commissioners miscellaneous services budget requests. Mr. Yochum reported that the proposed base budget includes \$84,100 (same as 2013), and that increases to existing services or new requests in the amount of \$9,650.00 have been moved to the proposed 2014 levy contingency budget. Administrator Yochum summarized the requests as presented to the Citizen Budget Committee: Cass County Economic Development Corporation \$42,500 (increase of \$5,000 from 2013 – see agenda item 2C. for related action), Central Minnesota Initiative Foundation \$17,000 (increase of \$650 from 2013), Working Together Coalition \$7,000 (same as 2013), Cass County HRA \$6,750 (same as 2013), Cass County Historical Society \$5,000 (same as 2013), Pillager Fair \$5,000 (same as 2013), Pine River Fair \$5,000 (same as 2013), Minnesota Rural Counties Caucus \$4,000 (increase of \$4,000 from 2013), Mississippi Headwaters Board \$1,500 (same as 2013), and Cass County Historical Society on behalf of the Unorganized Townships \$1,500 (same as 2013).

M/S/P Dowson, Peterson – To approve the proposed FY2014 Commissioners Miscellaneous Services budget support to the Central Minnesota Initiative Foundation in the amount of \$17,000.00. Ayes: Dowson, Kangas, Peterson. Abstain: Gaalswyk (to avoid the appearance of a related party conflict).

M/S/P Dowson, Gaalswyk – To approve the proposed FY2014 Commissioners Miscellaneous Services budget support to the Working Together Coalition in the amount of \$7,000, the Cass County HRA in the amount of \$6,750, the Cass County Historical Society in the amount of \$5,000, the Pillager Fair in the amount of \$5,000, the Pine River Fair in the amount of \$5,000, and the Mississippi Headwaters Board in the amount of \$1,500. Unanimous.

M/S/P Peterson, Dowson – To respectfully decline participation to the Minnesota Rural Counties Caucus. Unanimous.

M/S/P Dowson, Gaalswyk – To approve the proposed FY2014 Commissioners Miscellaneous Services budget support to the Cass County Historical Society in the amount of \$1,500 on behalf of the 14 Unorganized Cass County Townships (from Unorganized Township fund balance). Unanimous.

- 2C. Administrator reported that the existing service agreement with the Cass County Economic Development Corporation is due to expire December 31, 2013. Mr. Yochum presented a draft agreement. Gail Leverson suggested County Board approval at the requested funding level of \$42,500.00 per year.

M/S/P Gaalswyk, Peterson – To approve a service agreement and Exhibit “A” lease agreement with the Cass County Economic Development Corporation as presented beginning January 1, 2014 and expiring on December 31, 2016 at an annual budget support in the amount of \$42,500. Unanimous.

- 3A. HHVS Director Reno Wells and Director of Public Health Nursing Jamie Richter discussed the potential impact of the present federal shutdown on Cass County HHVS services. Ms. Richter explained the Women, Infants & Children Program noting that current enrollment in Cass County is 779 women, infants & children. Ms. Richter expressed specific health concerns with discontinuing support to 117 formula fed babies at an estimated cost of \$14,827 (excluding medically prescribed formulas to be provided by the State). HHVS Director Wells requested Board permission to develop a local contingency plan for WIC program formula fed babies in the event that the federal shutdown continues.

M/S/P Dowson, Peterson – To authorize HHVS to develop a contingency plan to provide selected Women, Infants & Children Program services and report the same back to the Board if the federal shutdown continues. Unanimous.

- 3B. Veteran Service Officer Jeff Woodford informed the Board that the federal call centers are at a 50% level. Mr. Woodford discussed the September activity including walk-in, phone calls, and the services to Veterans that have not been impacted by the federal shutdown. Also, informed the Board of Assistant Veterans Service Office Stephen Sether’s certification in training, responsibility, involvement and preparation of claims (TRIP) Program – Mr. Sether can now process related military paperwork. No action necessary.

- 4A. Local area citizen Jim Ballenthin explained his completed bike ride 1,500 miles around Lake Superior beginning on September 3 and ended on September 25, 2013. The mission of the ride became “Rolling Over Hunger”, a benefit for four local food shelves which have now received more than \$5,000 in donations and still more coming. Mr. Ballenthin shared some highlights of his trip from Pine River MN, to Canada, Michigan, Wisconsin, and back home again. Michigan, and Canada) Mr. Ballenthin added that he is grateful in achieving his personal quest and provided an opportunity to benefit his local community. The Board congratulated Jim on his personal efforts to support the area food shelves and his ongoing promotion of Cass County.

- 5A. City of Pine River Mayor Jim Sabas explained that MnDOT is scheduled to remove/relocate State Hwy. #84 from the top of the existing Norway Lake dam in 2016. Mayor Sabas reported that the dam is owned by the City and has engaged Bolton and Menk, Inc. to perform a feasibility study to develop and assess various dam rehabilitation and replacement options. Mike Rardin of Bolton & Menk, Inc. indicated that study costs estimates are in the \$25,000 range for what might become a \$1,000,00 project. Land Commissioner Joshua Stevenson suggested that the Board consider utilizing Conservation Fund #73 to provide matching assistance to the City of Pine River not to exceed \$10,000 for this initial feasibility phase of the Norway Lake Dam Project.

M/S/P Kangas, Peterson – To authorize use of Conservation Fund #73 to provide matching assistance to the City of Pine River not to exceed \$10,000 for the initial feasibility phase of the Norway Lake Dam Project. Unanimous.

- 5B. Land Commissioner Stevenson summarized the Enbridge presentation at the annual Cass County Township Association meeting on Thursday, October 3, 2013 regarding the Sandpiper pipeline project. Mr. Stevenson explained that public comments are now being accepted by the Minnesota Public Utilities Commission and that State permit action is not likely to occur until the summer of 2014 at the earliest. No action necessary.

- 6A. Chief Financial Officer Larry Wolfe reported that Shingobee Township has approved an amendment to Exhibit “B” (Use Permit to cross Cass County fee owned land) of the Joint Powers Agreement #4 dated March 15, 2011. The referenced amendment grants a perpetual easement to the Township for the Shingobee Connection Trail at Ah Gwah Ching.

M/S/P Dowson, Peterson – To approve an amendment to Exhibit “B” (Use Permit to cross Cass County fee owned land) of the Joint Powers Agreement #4 dated March 15, 2011 as approved by Shingobee Township and grant a perpetual easement to the Township for the Shingobee Connection Trail at Ah Gwah Ching. Unanimous.

7A. Highway Engineer David Enblom presented an agency agreement to provide technical and fiscal project management services to the City of Walker for Phase V of the Shingobee Connection Trail project (SP 1119-36 - construction of the TH 371 pedestrian tunnel).

M/S/P Dowson, Gaalswyk – To approve the agency agreement with the City of Walker as presented. Unanimous.

7B. Mr. Enblom requested Board approval to enter into a professional service contract with WSB & Associates for engineering related to the reconstruction of a portion of CSAH #77 located in the City Lake Shore. The contract term is expected to last approximately 2 years at a negotiated base price not to exceed \$213,212. In the event that federal environmental processes are necessary an additional not to exceed \$18,340 would be added to the base contract but payable only if successful in obtaining federal funds. Highway Engineer David Enblom added that the consulting firm will have a minimum of four public meetings regarding the reconstruction of that portion of CSAH#77.

M/S/P Gaalswyk, Peterson – To approve a base contract with WSB & Associates for engineering services related for reconstruction of a portion of CSAH #77 located in the City Lake Shore not to exceed \$213,212, and optional federal funding services as determined by the County Engineer not to exceed \$18,340. Unanimous.

7C. Engineer Enblom requested Board action to authorize the sale of a Challenger mower/tractor to Thunder Lake Township in the amount of \$25,000 (sale price was based upon an appraisal by Ziegler, Inc.). Mr. Enblom added that due to the purchase of the new mower purchased in 2013 that the Challenger tractor with a single mower is no longer needed.

M/S/P Peterson, Gaalswyk – To approve the sale of Challenger mower/tractor to Thunder Lake Township in the amount of \$25,000. Unanimous.

7D. Chairman of the Inguadona Town Board Charles Sens and area resident John Roscoe reported the need for improvements to CR#129 including Bridge #7439 over Laura Brook east of Longville. Highway Engineer Enblom recommended that the referenced bridge be added to the bridge priority project list for potential funding with 2014 State Bridge Bonding Program if funded by the 2014 MN legislature. Mr. Enblom noted that average daily traffic count is estimated MnDOT 140 per day and the bridge sufficiency rating for Bridge No. 7439 is 68.8 (00.0 being the worst).

Commissioner Dowson offered Resolution No. 44-13 and moved its adoption, Commissioner Peterson seconded:

PURSUANT to the procedures outlined in Minnesota Department of Transportation Technical Memorandum No. 85-7-SA-1 (April 5, 1985), regarding application for grants for Bridge Replacement projects on County Highways, Township Roads, and City Streets, the following priority lists are hereby established, revising all previously established priority lists.

<u>County State Aid Highways</u>	<u>Bridge No.</u>	<u>Sufficiency Rating</u>
CSAH 1	7223	69.9
CSAH 1	7171	79.4
CSAH 1	88229	88.1
CSAH 25	5711	27.5
CSAH 53	7432	75.2
<u>County Highways</u>	<u>Bridge No.</u>	<u>Sufficiency Rating</u>
C.R. 103	88243	46.3
C.R. 107	88245	65.8
C.R. 129	7439	68.8
C.R. 161	1660	75.7
<u>Township Roads</u>	<u>Bridge No.</u>	<u>Sufficiency Rating</u>
Wabedo Twp.	L5880	63.3
<u>City Streets</u>	<u>Bridge No.</u>	<u>Sufficiency Rating</u>
Lake Shore	L5920	22.0
East Gull Lake	7435	61.8

Resolution No. 48-13 was adopted by majority vote: Ayes: Dowson, Gaalswyk, Kangas, Peterson. Absent: Downham.  
Nays: None.

- 7E. Mr. Enblom reported that pursuant to a petition to vacate a portion of Lake View Avenue in the plat of Portage Lake in Unorganized Township 145 Range 29 an inspection was made on Monday, October 7, 2013 by Commissioner Downham, Commissioner Dowson, County Surveyor Terry Freeman and County Engineer Enblom. The committee recommends that the vacation process move forward by providing notice required by MN law. The Board noted it may require proof of legal access to any properties affected in the event of a road vacation.

M/S/P Gaalswyk, Dowson – To serve notice as required by MN statute of a public hearing scheduled for Tuesday, November 5, 2013, beginning at 9:00 a.m. at the Cass County Board of Commissioners meeting (acting as the Township Board for Unorganized Townships), in the Commissioners Board Room on the first floor of the Courthouse Annex, Walker, MN. Unanimous.

8. County Administrator Yochum confirmed the upcoming meeting schedule.

M/S/P Peterson, Gaalswyk – To provide public notice of the Cass County Board of Commissioners attendance at the Annual Legislative AMC Conference, December 8-11, 2013, Hyatt Regency, Minneapolis, MN, and attendance at the Camp Lake land donation event conducted by the Department of Natural Resources on Thursday, October 31, 2013 beginning at 11:00 a.m., Longville, MN. Unanimous.

9. M/S/P Kangas, Gaalswyk – To close the meeting to the public at 10:45 a.m. pursuant to MN Statutes M.S.13D.05. Subd.3.(b). to discuss pending litigation: unlawful detainer action. Unanimous.

Present for the meeting were Commissioners Dowson, Gaalswyk, Kangas, and Peterson, County Administrator Robert Yochum, Chief Financial Officer Larry Wolfe, County Attorney Christopher Strandlie, and Land Commissioner Josh Stevenson.

10. Vice Chairman Kangas reopened the meeting and adjourned without discussion at 11:14 a.m.

SIGNED: \_\_\_\_\_  
Bob Kangas, Vice Chairman  
Cass County Board of Commissioners

ATTEST: \_\_\_\_\_  
Robert H. Yochum  
Cass County Administrator