

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
November 19, 2013**

1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, November 19, 2013, with the flag pledge, in the Land Department Meeting Room, Backus, 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	Tim Richardson	Central Services Director
Don Hoppe	Central Services	Jess Watts	Central Services
Josh Stevenson	Land Commissioner	Tom Burch	Sheriff
Jeff Woodford	VSO	Kelly Felton	Working Together Coalition
David Enblom	Highway Dept.	Kris Lyytinen	Highway Dept.
Katy Norby	County Recorder	Scott Noland	Land Department
Shari Splichal	A-T office	Mark Peterson	County Assessor
Kevin Lee	LASSD	Renee Stranne	Self
Jeff Stranne	Self	Mat Tulenchik	Self
Richard Archer	Land owner	Susan Wiese	Allan Harrison
Bill Bradish	Landowner	Lee Bundy	Pine River Area Sanitary District
Ray Schrupp	Self	Kelly Condiff	ESD
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

1B. M/S/P Kangas, Peterson – To approve the agenda items for discussion as presented after tabling Item 2C. (Discussion of the 2014 Citizen Committee list until the regular meeting of Tuesday, December 3, 2013), adding Item 2D. (Proposed tax notices of 2013 and 2014), and adding Item 7B. (Approve 2014 Sheriff's Office vehicle purchases off state contract). Unanimous.

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

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

Approve - Board Minutes of November 5, 2013.

Approve - Auditor manual warrants dated October, 2013 in the amount of \$4,000,370.77.

Approve - Auditor warrants dated October 31, 2013 in the amount of \$852.00.

Approve - Auditor warrants dated October 31, 2013 in the amount of \$168,746.36.

Approve - Auditor warrants dated November 7, 2013 in the amount of \$207,613.81.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated November 8, 2013 in the amount of \$68,211.87.

Approve - HHVS Auditor warrants dated November 8, 2013 in the amount of \$118,835.20.

Approve personnel actions - Budgeted positions scheduled for replacement: 1. Receive & file notice of resignation of Lauren Tillmans, Home Health Aide, effective November 15, 2013, and receive & file the notice of intent to fill budgeted Home Health Aide position, Grade 13. 2. Approve appointment of Linda Hammer, Home Health Aide, Grade 13, Step 3 effective November 6, 2013. B. Positions scheduled for no replacement at this time: None. C. Other. None.

Approve licenses – Tobacco - Ultimate Liquors - Ultimate Liquors, Inc., Pine River (City); Ole and Lena's Sweet Revenge - Debbie Oliver, Pine River (City); Corner Store and Restaurant- David A. Sheley, Jr., Powers; Machart's Landing - Earl Machart, Federal Dam; Legacy Courses at Cragun's - Cragun Enterprises, East Gull Lake; Jake's Gull Lake - Gull Lake Jake's, Inc., Fairview. On & Off Sale 3.2 Beer - All Pine Inn Resort - Richard Anderson, Beulah; Salty Dog Saloon - Thomas Sewall, Powers.

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

Authorize – Payment to the Working Together Coalition in the amount of \$5,266.00.

Bidder  
Outing Sand and Gravel

Bid Amount  
\$6,250.00

Rice Contracting & Development Services	\$10,400.00
Cass County Construction	No Bid
JR Martz Construction	No bid
John Croatt	No bid
Moritz Excavating	No bid

M/S/P Gaalswyk, Kangas – To award the bid to Outing Sand and Gravel not to exceed \$6,250 source of funds from the GIA ATV maintenance account. Unanimous.

Receive & file - Timber auction results of October 31, 2013 totaling 11,738.50.00 cords plus 30.70mbf saw timber totaling \$162,027.87.

Authorize - Payments to Mark J. Beard (Invoice#107) in the amount of \$1,250.00, and contract with Wideth Smith Nolting & Assoc. in the amount of \$35,500.00 and partial payment (Inv. #92815) in the amount of \$2,424.00 remodel Highway Shops & Pine River Govt. Bldg. (source of funds from Capital Fund – Garages & Capital Outlay Bldgs.)

Receive & file - STS quarterly report from July 1 through September 30, 2013.

Accept - Donation from Portage Lakes Association in the amount of \$25.00 for Sheriff's Office for AIS cards.

Receive & file - Correspondence from City of Walker regarding a petition for annexation by Daniel & Michele Piprude on PID# 38-135-1316.

Receive & file - October 2013 Cass County EDC Activity Report.

Receive & file - Correspondence from MPCA regarding the 2014 first half of SCORE Block Grant disbursement in the total amount of \$68,896.

<u>Parcel</u>	<u>Bidder Kvale</u>	<u>Bidder LVS</u>
Johnson Deerfield Twp.	\$3,400.00	\$2,300.00
Johnson Turtle Lake Twp.	\$2,500.00	\$2,200.00
Hyde Woodrow Twp.	<u>\$3,000.00</u>	<u>\$2,300.00</u>
Total	\$8,900.00	\$6,000.00

M/S/P Gaalswyk, Kangas – To award quote to Lawrence Valuation Service, LLC for appraisals on land to be acquired with LSOHC funds that provides access to inaccessible public land and protect critical forest habitat in the amount of \$6,000.00. Unanimous.

Approve - Joint Powers Agreement with the MN DNR- Enhancement of Natural Resource Management (aerial seeding) from January 1, 2014 through December 31, 2018.

Approve - Contract for Purchase of Services between Cass County HHVS and Rural Minnesota CEP, Inc. (MFIP and DWP).

Approve - Purchase of Services Agreement between Cass County, Minnesota and Rural Minnesota Concentrated Employment Program to provide Family Development Certification Training in the amount not to exceed \$11,000.00.

Approve -Acceptance of SHIP grant agreement with the MN Department of Health in the amount of \$614,524.00.

- 2B. Mr. Yochum summarized the Personnel Committee of the Board (Commissioners Downham and Dowson) meeting of November 5, 2013. Discussion items included: medical examiner providers/practices, wage rate market comparables submitted by the Local #320 bargaining unit, amending the certified appraiser job description due to a statute change, updating the data practice compliance appointments, a HHVS Case Aide – IMU grievance settlement, renewal of the Cass County/Leech Lake Reservation Children's Initiative agreement, a wage rate market adjustment for the HHVS Eligibility Worker position, and recruitment of a labor counsel due to Tom Fitzpatrick's retirement.

M/S/P Dowson, Kangas - To approve the recommendations of the Personnel Committee of the Board: 1.) that Dr. Michael McGee should be re-appointed as medical examiner and that related protocols will be reviewed to promote local decisions in the field potentially reducing examination costs, 2.) that a market adjustment be approved for the Sergeant position from grade 30 to grade 31 effective 12/07/13, 3.) that the certified appraiser job description is amended by including MS 270C.9901 requirements and consider any related issues upon labor contract renewals, 4.) that HHVS Case Aide – IMU grievance settlement is received and filed, 5.) that the renewal of the Cass County/Leech Lake Reservation Children's Initiative agreement be referred to the County Administrator as part of the memorandum of understanding contact with the Leech Lake Band of Ojibwe, 6.) that a market adjustment be approved for the Eligibility Worker position from grade 20 to grade 22 effective 12/07/13, and 7.) that a public request for proposals for labor counsel services is authorized. Unanimous.

M/S/P Dowson, Kangas – To approve appointments under the Minnesota Government Data Practices Act: Unanimous.

<u>Department</u>	<u>Responsible Authority (RA)</u>	<u>Compliance Official</u>
All non-elected	Auditor-Treasurer	Auditor-Treasurer
Attorney	County Attorney	Appointed by RA
Recorder	Recorder	Appointed by RA
Sheriff	Sheriff	Appointed by RA

All appointed department heads are designees of the responsible authority to respond to data requests for their respective departments.

- 2C. M/S/P Kangas, Peterson – To table discussion of the 2014 Citizen Committee list until the regular meeting of Tuesday, December 3, 2013. Unanimous.
- 2D. Chief Financial Officer Larry Wolfe explained County (only) property tax levy trends for 2013 and 2014 based upon proposed tax notices known as “truth in taxation notices”. Mr. Wolfe reported that the 2014 proposed property tax notices have been recently sent to owners of 38,679 parcels and discussed average dollar changes. No action necessary.
- 3A. Auditor-Treasurer Sharon Anderson presented the notice of public hearing provided under Minnesota Statutes 103E.805, the County Board acting as the drainage authority for Cass County Drainage System No. 9.

M/S/P Dowson, Kangas - To open the Public Hearing on the Cass County Drainage System No. 9. Unanimous.

The Board accepted comments and responded to questions from the audience in regard to the proposed removal of property from the benefited area of the system. Engineer Enblom also provided a project status report noting that the work is nearing completion. Following the public hearing, action was taken as follows:

Commissioner Peterson offered Resolution No.54-13 and moved its adoption, Commissioner Kangas seconded:

#### DRAINAGE ORDER AND FINDINGS

WHEREAS the Cass County Board approved a maintenance levy in the amount of \$30,000 for Cass County Drainage System No. 9 on October 1, 2013, with an installment payment period of three years, interest rate of two percent (2%), and

WHEREAS Minnesota Statutes 103E.805 provides for the removal of property from a drainage system under specific circumstances, and

WHEREAS the Cass County Board has determined that petitions received for removal of property from Cass County Drainage System No. 9 meet eligibility criteria, finding as follows:

1. the waters from these properties have been diverted from Drainage System No. 9, flowage determined to be westerly toward Drainage System No. 4; that these properties cannot significantly or regularly use Drainage System No. 9;
2. these properties are not benefited by Drainage System No. 9, and
3. removal of the properties herein listed from Drainage System No. 9 will not prejudice the property owners and property remaining in the system.

	Parcel ID	Legal Description	Total No. Acres	No. Acres Benefitted
1	48-014-3300	SW1/4 SW1/4 & S7 ACS of NW1/4 SW1/4	47	20.7
2	48-012-3300	SW1/4 SW1/4	40	4.4
3	48-014-1400	SE1/4 NE1/4	40	30.1
4	48-014-3400	E1/2 SW1/4	80	72.3
5	48-014-4001	E1/2 NW1/4 SE1/4 & E1/2 SW1/4 SE1/4	40	18.9
6	48-014-4100	NE1/4 SE1/4	40	40.0

7	48-014-4300	W1/2 of SE1/4 Less E1/2 of NW1/4 of SE1/4 Also Less E1/2 of SW1/4 of SE1/4	40	18.9
8	48-014-4400	SE1/4 SE1/4	40	4.4
9	48-014-2200	NW1/4 NW1/4	40	39.3
10	48-014-2300	SW1/4 NW1/4	40	40.0
11	48-013-2300	SW1/4 NW1/4	40	14.7
12	48-013-3200	NW1/4 SW1/4	40	29.8
13	48-013-3300	SW1/4 SW1/4	40	18.1
14	48-014-3201	N33 ACS of NW1/4 SW1/4	33	33.0
15	48-012-4100	NE1/4 SE1/4	40	1.0
16	48-014-1200	NW1/4 NE1/4	40	25.0
17	48-014-1300	SW1/4 NE1/4	40	40.0
18	48-014-2100	NE1/4 NW1/4	40	40.0
19	48-014-2400	SE1/4 NW1/4	40	40.0

530.6

BE IT RESOLVED that the foregoing petitions 1 through 15 filed pursuant to Minnesota Statutes 103E.805, and petitions for parcels 16 through 19 if received by November 28, 2013, are hereby approved for removal from the benefited area of Cass County Drainage System No. 9.

FURTHER RESOLVED that any other petitions for removal of property from this drainage system are hereby denied.

In consideration of financial impact on remaining owners in the benefited area, the installment payment period is extended to four years.

Resolution No. 54-13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4A. Kevin Lee of North Memorial Ambulance presented the third quarter 2013 report for the Longville Ambulance Subordinate Service District (LASSD). Mr. Lee informed the Board that the LASSD had paramedic coverage every day during the 3rd quarter, and consistently exceeded the Part Time Advanced Life Support requirement. Mr. Lee reported that LASSD transported or billed year to date 200 patients vs. the budgeted amount of 169. Revenues were \$40,850 over budget, and the revenue deductions were 60.6% vs. the budgeted amount of 61.6%. Total expenses were \$30,974 under budget, and \$23,440 under year to date 2013 and a net margin of 22.9%. Community involvement included attending the Cass County EMS Task Force Meetings quarterly, and the Cass County ARMER radio users meetings, participated in the Longville 4<sup>th</sup> of July parade, and the Longville Airport Fly-In in August. Mr. Lee provided customer satisfaction comments specific to Longville received during the 3rd Quarter, and added that the Brainerd region's overall patient satisfaction score was 93.57 with the national database mean score is 92.72. The Board thanked Mr. Lee for the update and expressed deepest sympathy to North Ambulance on the untimely death of Gary Pearson the Director of Out-state Ambulance Operations of North Ambulance. No Board action necessary.
- 5A. Lee Bundy the Pine River Area Sanitary District (PRASD) Facilities Manager reported that the City of Backus has a 42-year agreement with PRASD to connect the Backus sanitary sewer system to the Pine River Area District Plant. The improvements are nearly complete, ahead of schedule and under budget. Mr. Bundy invited the Board members to the ribbon cutting ceremony at Backus City Hall on Friday, November 22, 2013 beginning at 2:00 p.m. No action necessary.
- 6A. Veteran Service Officer Jeff Woodford discussed the local October activity including 46 walk-in contacts, 4 home visits, 128 phone calls in Backus and 16 for Walker. The transportation program provided 37 rides totaling 8,042 miles. Assistant Veterans Service Officer Stephen Sether will have his certification training completed in June of 2014. Mr. Woodford also discussed the national veteran service trends by program. No action necessary.

7A. Sheriff Tom Burch, and Kelly Felton informed the Board that in 2013 year to date the Working Together Coalition (WTC) offered 11 responsible beverage server training classes that included 147 employees and owners of businesses which sell alcoholic beverages. Sheriff added that the Sheriff's Office and the WTC has completed two rounds of alcohol compliance checks randomly throughout Cass County with a 97 percent pass rate (of the 32 businesses checked only one failed). Ms. Felton added that the training and compliance checks have been a successful collaboration with Working Together Coalition and the Cass County Sheriff's Office under a contract for services. No action necessary.

7B. Sheriff Burch requested Board approval to order for delivery in 2014 six budgeted vehicles off the State contract

M/S/P Dowson, Gaalswyk – To approve the Sheriff's Office to order for delivery in 2014 six budgeted vehicles off the State contract. Unanimous.

8A. Central Services Director Tim Richardson, Don Hoppe, and Jess Watts from the MIS Department presented a live demonstration of updates to the County mapping website. Mr. Richardson added that the GIS mapping and forestry interface upgrades are substantially complete and available to the public. New features & enhancements include: increased speed for zoom/pan features, photos are cached to only display at certain extents, additional scanned documents available, custom searches/buffers, downloadable reports with mailing labels, additional layout/legend options for maps, and increased mobile device capabilities. City and Township training is planned for December 2013 and public training is being planned for spring 2014. Additional website upgrades are schedule for 2014. No action necessary.

8B. Land Commissioner Josh Stevenson and Assistant Land Commissioner Scott Noland presented a live demonstration of the timber sale management (TSM) software update focusing on the logging industry and public access to timber sale data. Forestry information is now linked to the mapping upgrades just discussed by Central Services. New features & enhancements include: auction results, permit holder sales, receipt functions, road use permits, timber access easements, and multiple search parameters. Training is ongoing for permit holders and public. Additional planned upgrades are timber cruise application for JUNO's, increased mobile device functionality, and multiple County departments posting open permit locations. No action necessary.

8C. Auditor-Treasurer Sharon Anderson and County Recorder Kathryn Norby discussed the trends in filing of electronic certificates of real estate value (E-CRV) rather than the paper forms. The E-CRV system replaces the paper CRV form used in the past and has resulted in improved county-state data coordination. Recorder Norby explained that this is an important part of document e-recording and that Cass County volunteered to be part of early demonstrations. Ms. Anderson added that the MN Department of Revenue uses the data collected to track assessment of property Statewide. Other electronic systems under review by the MCIS group include property tax administration and payroll functions. No action necessary.

9. County Administrator Yochum confirmed the upcoming meeting schedule:

M/S/P Kangas, Peterson – To approve a time change for the Tuesday, December 3, 2013 regular Board meeting beginning at 3:00 p.m. and establish public hearing on the 2014 Cass County budget and property tax levy beginning at 6:00 P.M., Commissioners Board Room, 1<sup>st</sup> Floor Crtse., Walker, MN. Unanimous.

M/S/P Kangas, Peterson – To approve moving the Tuesday, December 17, 2013 regular Board meeting beginning at 9:00 a.m. from the Land Department Meeting Room, Backus, MN, to the Commissioners Board Room, 1<sup>st</sup> Floor Crtse. Walker, MN. Unanimous.

10. Chairman Downham adjourned the meeting at 11:04 a.m.

SIGNED: \_\_\_\_\_  
Dick Downham Chairman  
Cass County Board of Commissioners

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