

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

- 1A. Chairman Downham convened the regular meeting of the Cass County Board of Commissioners at 3:00 p.m. on Tuesday, December 3, 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
David Enblom	Highway Engineer	John Ringle	ESD Director
Kris Lyytinen	Asst. Highway Engineer	Laura Hadrava	Highway Department
Terry Freeman	Surveyor's Office	Paul Fairbanks	County Planner/SWO
Reno Wells	HHVS Director	Tom Burch	Sheriff
Kerry Swenson	Emergency Mgmt Coord.	Candy Enblom	HHVS
Melanie Wolfe	HHVS	Susan Ostlund	HHVS
Jeff Woodford	VSO	Kim Minton	HHVS
Jamie Richter	HHVS	Wanda Reed	HHVS
Sarah Smythe	HHVS	Michele Piprude	HHVS
Marlen Harris	Stockman Transfer	Dan Ihrke	City Sanitary Service
Kevin Beal	Kevin Beal	Dan Anderson	MNDOT
Franz Plattner	Self	Jared Olson	Eel Pout Festival
Tim Terrill	MHB Executive Director	Eric Loge	Waste Partners, Inc.
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

- 1B. M/S/P Peterson, Kangas – To approve the agenda items for discussion as presented after moving Item 6A. (Receive & file notice of a Multi-Department Countywide Pandemic Response Exercise) and Item 6B. (Approve execution of Law Enforcement Services Contract with the City of Backus) to Item 2B. Unanimous.

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

M/S/P Kangas, Dowson - To amend the consent agenda by moving Item 2A.14 (Receive & file - HHVS Cash Account Balance Comparison and Child Service Costs through October 2013) to Item 7B. for discussion. Unanimous.

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

Approve - Board Minutes of November 19, 2013.

Approve - Auditor warrants dated November 14, 2013 in the amount of \$841,991.05.

Approve - Auditor warrants dated November 21, 2013 in the amount of \$545,647.62.

Approve - HHVS Commissioner warrants dated November 22, 2013 in the amount of \$159,996.01.

Approve - HHVS Auditor warrants dated November 22, 2013 in the amount of \$143,518.63.

Approve Personnel Actions – A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Tanya Dudley, Eligibility Worker, Grade 20, Step 01, effective December 2, 2013. 2. Receive & file - Notice of initial probation completion of Mark Kaufenberg temporary seasonal worker (Capital Maintenance Fund) grade 12, step 6 effective December 26, 2013. B. Positions scheduled for no replacement at this time: 1. Receive & file - Notice of resignation of Peggy McBrien as Sheriff's Office Dispatcher, effective December 17, 2013. 2. Receive & file - Notice of probation completion for Tahnee Hamilton, County Agency Social Worker – CPS, Grade 28, Step 01, on November 20, 2013. C. Other. None.

Approve licenses – Tobacco - DJ's Liquor Outlet - Joseph Karst, Powers; Lake Country Grocery & Liquor - Sara Smith, Crooked Lake; Cedar Street Market - Sylmac, Inc, Pillager; Riverside Quick Stop - Brenda Greene, Federal Dam; Long Pine Store - Cynthia Bussian, Ponto Lake; Ernie's on Gull - CMZ Hospitality, LLC, East Gull Lake; The Shadberry - The Shadberry, Inc, Crooked Lake. On & Off Sale 3.2 Beer - Agency Bay Lodge - Sharon Palmer, Turtle Lake; Big Rock Resort - Big Rock Resort Owners Association, Turtle Lake; Long Pine Store - Cynthia Bussian, Ponto Lake;

Anderson's Cove - Chris Anderson, Leech Lake; Long Bow Golf Club - Long Bow Golf Club, LLC, Leech Lake. On Sale 3.2 Beer - Birch Villa Resort - Birch Villa Resort, LLC, Pike Bay; Hunt's Sportsman's Club - James Wills, Homebrook. Off Sale 3.2 Beer - Mule Lake Store - Big Thunder Enterprises, LLC, Wabedo.

Authorize - Payment of budgeted support for FY2013 to the Working Together Coalition in the amount of \$1,734.00.

Approve - 2013 Emergency Management Grant (A-EMPG-2013-CASSCI00197/po#3000023969) in the amount of \$40,351.00 from the MN Department of Public Safety (CFDA 97.042).

Approve - Issuance of check to Cygneture Title and Abstract, Inc. in the stated amount of \$115.00.

Receive & file - 2013 MCIT dividend payment in the amount of \$305,030.00.

Receive & file - Payment to municipalities for 2013 routine highway maintenance costs in the amount of \$12,956.65.

Approve - Payment for 2013 second half contributions to the Cass County/Leech Lake Reservation Children's Initiative Collaborative Inc. Upon receipt of invoices, and payment not to exceed \$16,500 for the Children's Mental Health Coordinator and payment not to exceed \$12,500 for Mental Health Services.

Approve - Grant application to Secretary of State in the amount of \$993.15 for polling place improvements under the EAID Program.

Approve - GIA Snowmobile Trail Agreement with US Forest Service - permission to cross USFS lands.

Approve - Lease term extension to December 31, 2014 - NRCS Field Office.

Receive & file - Timber auction results of November 27, 2013 totaling 6,186.00 cords plus 19.40mbf saw timber totaling \$124,149.00.

2B. See Item 6A. and Item 6B.

3A. HHVS Director Reno Wells introduced Social Services Manager Michele Piprude and Director of Public Health Nursing Jamie Richter to report receipt of a 2013 Association of Minnesota Counties Achievement Award for the implementation an integrated intake model at Cass County HHVS. The information gathered at intake often indicates a need for multiple disciplines to follow-up. In an effort to cross train personnel social workers and nurses now rotate intake calls for services. Ms. Piprude and Ms. Richter reported the most important benefits have been a more integrated, collaborative, and holistic approach to meet customer's needs and it also confirms the interdependency of the multiple work units within HHVS which in turn creates a stronger team. The Board congratulated the Health, Human, & Veterans Services Department on the deserved recognition.

M/S/P Dowson, Kangas - To receive & file notice of the 2013 AMC County Achievement Award for the Cass County Public Health and Social Services Integrated Intake Model, and to authorize travel expenses for County Team Leaders Jeri Seegmiller and Lori Muller and their guests to attend the AMC Legislative Conference on Tuesday, December 20, 2013 to accept the award on behalf of Cass County. Unanimous.

3B. Mr. Wells introduced HHVS Financial Assistant Supervisor I Candy Enblom who is retiring after twenty five years of service. Chairman Downham on behalf of the full Board presented Ms. Enblom with a certificate expressing sincere appreciation of many years of dedicated service to Cass County.

HHVS Director of Business Management Melanie Wolfe introduced new appointments: Fiscal Supervisor II Susan Ostlund, Financial Supervisor - Adult Unit Wanda Reed, and Financial Assistance Supervisor - Family Unit Sarah Smythe to the Board. The Board and staff discussed working together in the future. No action necessary.

3C. HHVS Director Wells presented a draft service agreement with the Cass County Family Centers that is recommended for approval by the Health, Human, and Veteran Services Advisory Committee after review at its Monday, November 25, 2013 meeting. The CCHHVS Advisory Committee further recommended a deadline of January 31, 2014 for the Family Centers to enter into a base funding service agreement or forfeit their right to participate in 2014. Discretionary funding requests in 2014 will be submitted to the CCHHVS Advisory Committee for recommendations to the County Board.

M/S/P Kangas, Peterson - To approve the execution of service agreements beginning January 1, 2014 and ending December 31, 2016 with the Cass County Family Centers as presented, and approve the recommendation of the CCHHVS Advisory Committee of a deadline of January 31, 2014 for participation in the 2014 base funding. Unanimous.

3D. HHVS Support Services Supervisor Kimberly Minton and HHVS Veterans Service Officer Jeff Woodford presented the CCHHVS Advisory Committee recommendation to combine the Senior Transportation and the Veterans Transportation

Volunteer Driver Programs to a single fee schedule. Ms. Minton reported that the Senior Transportation Program miles driven totaled 97,838 x .565 = \$55,278 with fees collected January, 2013 to September, 2013 in the amount of \$6,241.30. Mr. Woodford reported that the Veterans Transportation Program miles driven totaled 65,822 x .565 = \$37,189.43 with fees collected January, 2013 to November, 2013 in the amount of \$3,804.00.

M/S/P Dowson, Gaalswyk – To approve the recommendation of the CCHVS Advisory Committee by establishing a single fee schedule for the Senior Transportation and the Veterans Transportation Volunteer Driver Programs at the following rates per round trip: Unanimous.

- 1 - 20 MILES = \$5.00
- 21 - 150 MILES = \$10.00
- 151 - 250 MILES = \$20.00
- 251 – 400 MILES = \$30.00
- 400+ MILES = \$30.00 plus .10 for each additional mile

- 4A. Highway Engineer David Enblom, Assistant County Engineer Kris Lyytinen and Dan Anderson MNDOT District Manager discussed the status of the possible Remer maintenance shop co-location with MNDOT. Mr. Enblom explained that without objection staff will draft an agreement for presentation to the Board. By consensus, the Board requested ongoing documentation of the mutual benefits of this proposal. No action taken.
- 4B. Construction/Design Engineer Laura Hadrava requested consideration of an advance of up to \$750,000 from the 2015 State Aid construction allocation for delivery and cash flow of the 2014 State Aid construction projects. Engineer Enblom explained that MNDOT has requested a County response for fund advance estimates, however the need for the advance will be determined by bridge bonding levels by the State, actual project bids, and any revisions to the County five year plan. Ms. Hadrava presented Resolution No. 55-13.

Commissioner Gaalswyk offered Resolution No. 55 -13 and moved its adoption, Commissioner Kangas seconded:

WHEREAS, the County of Cass is planning to implement County State Aid Street Project(s) in 2014 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date <u>02/01/2014</u>	\$ <u>2,593,135.00</u> (estimated)
Less estimated disbursements:	
Project # <u>SAP 011-601-022</u>	\$ <u>3,300,000.00</u>
Project # _____	\$ _____
Project # _____	\$ _____
Project # _____	\$ _____
Project # _____	\$ _____
Project Finals (overruns-if any)	\$ <u>43,135.00</u>
Other _____	\$ _____
Total Estimated Disbursements	\$ <u>3,343,135.00</u>
Advance Amount (amount in excess of acct balance)	\$ <u>750,000.00</u>

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Cass in an amount up to \$750,000.00 in accordance with Minnesota Rules 8820.1500, Sub. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

Resolution No. 55 -13 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4C. County Surveyor Terry Freeman reported back from the Tuesday, November 5, 2013 public hearing regarding the tabled road revocation resolution in the unorganized townships. Mr. Freeman confirmed that affected parcels will have other access in the event of the road vacation.

Commissioner Dowson offered Resolution No. 56 -13 and moved its adoption, Commissioner Peterson seconded:

RESOLUTION VACATING A TOWN ROAD

WHEREAS, the town board of Unorganized Township, Cass County, Minnesota received a petition calling for the vacation of the following described road pursuant to Minn. Stat. § 164.07:

All of Lakeview Avenue in the Plat of Portage Lake dated March 4, 1926, south of Blackman Road NE in the Certificate of Survey dated November 3, 2008, the names of the owners over which the (proposed) road passes, All of Lakeview Avenue in the Plat of Portage Lake dated March 4, 1926, south of Blackmar Road NE in the Certificate of Survey dated November 3, 2008;

WHEREAS, said petition was signed by not less than eight voters of the town who own real estate, or occupy real estate under the homestead or preemption laws or under contract with the state, within three miles of the road;

WHEREAS, the road passes over the following described tract of land in Cass County, Minnesota, owned by the following names owners:

<u>Owner</u>	<u>Description of Land</u>
<u>Douglas C. Joyce S. Knapp</u>	<u>74-427-0230</u>
<u>William H. & Miriam F. Novosad</u>	<u>74-427-0241</u>
<u>Judy Blackmarr-Stejskal & Jerome G. Stejskal</u>	<u>74-427-0251, 74-427-0260, 72-030-3106</u>
<u>Chester P. Iverson & Sherri A. Iverson</u>	<u>74-427-0270</u>

WHEREAS, the town board conducted a public hearing on the petition on the 5th day of November, 2013, after personal notice, posted notice, and published notice was provided by the town board;

WHEREAS, the affidavits of the referenced notices will be kept on file as proof that the required notice was given;

WHEREAS, the town board examined the road, heard the interested parties, and considered the matter;

WHEREAS, the town board determined that the petitioned for action is consistent with the public interest;

WHEREAS, the town board has examined the ditches lateral to the road and determined that said ditches are not essential for surface drainage of adjacent lands or highways in support of the general health and welfare of the public;

WHEREAS, the Owners listed herein must release the town from any damages related to the vacation of the road prior to execution and filing of the order by the town board to do so;

NOW, THEREFORE, BE IT RESOLVED, that the town board of Unorganized Township, Cass County, Minnesota hereby vacates a town road legally described as follows:

All of Lakeview Avenue in the Plat of Portage Lake dated March 4, 1926, south of Blackmar Road NE in the Certificate of Survey dated November 3, 2008, the names of the owners over which the (proposed) road passes, All of Lakeview Avenue in the Plat of Portage Lake dated March 4, 1926, south of Blackmar Road NE in the Certificate of Survey dated November 3, 2008;

BE IT FURTHER RESOLVED, that the town board chair and town clerk are hereby authorized and directed to execute a town road order vacating said town road and to record the same with the county recorder of Cass County only after receipt of the release of damages attached hereto as Appendix "A".

BE IT FINALLY RESOLVED, that the town clerk is authorized and directed to provide a copy of this resolution to each of the affected owners listed above.

Adopted this 3rd day of December, 2013 by the following vote:

<u>Town Supervisor</u>	<u>Yes</u>	<u>No</u>
Richard Downham	<u> x </u>	<u> </u>
Jim Dowson	<u> x </u>	<u> </u>
Neal Gaalswyk	<u> x </u>	<u> </u>
Bob Kangas	<u> x </u>	<u> </u>
Jeff Peterson	<u> x </u>	<u> </u>
Richard Downham		
Town Board Chair	Robert H. Yochum	Town Board Clerk

Resolution No. 56-13 was adopted by majority vote.

- 5A. ESD Director John Ringle reported that MPCA correspondence dated October 24, 2013 noted that the Cass County Household Hazardous Waste Facility at Pine River is a role model for the rest of the state.

County Planner and Solid Waste Officer Paul Fairbanks summarized the Ad Hoc Committee of the Board (Gaalswyk, Kangas) recommendations regarding solid waste & recycling contracts.

Paul Fairbanks reported committee suggested changes in the commercial cardboard recycling program. Contracting concepts were discussed. Dan Ihrke of City Sanitary and Eric Loge of Waste Partners, Inc. raised questions and concerns about changes to the existing program. Mr. Fairbanks noted that additional contact with licensed haulers and subsequent reports will be made back to the Board.

M/S/P Gaalswyk, Kangas – To approve the Ad Hoc Committee of the Board recommendation that the existing 29 sites with County recycling bins be competitively bid for commercial cardboard collection, and that the County discontinue contracting with five private vendors for commercial cardboard collection at the remaining 79 sites and in lieu thereof purchase cardboard at the transfer station at a rate of \$40.00 per ton. Unanimous.

Mr. Fairbanks reported that an additional storage building at the Pine River Transfer Station/Recycling Center is now complete at an authorized budget of \$36,338.88. The operations agreement with Stockman Transfer will now transfer four acres of Stockman property to the County and increase the County revenue share of cardboard sales from 50% above \$100.00/ton to 50% above \$75.00/ton. Pine River Township has been notified of the ownership transfer. No action necessary.

Mr. Fairbanks discussed an offer to contract at a favorable rate with an industrial solid waste disposal site at Becker MN for portions of the current waste stream sent to Waste Management at Elk River MN which is twenty miles closer.

M/S/P Kangas, Gaalswyk – To direct the County Planner/Solid Waste Officer to further research practical methods to sort industrial solid waste from the current waste stream. Unanimous.

- 5B. ESD Director Ringle introduced the new Mississippi Headwaters Board Executive Director Tim Terrill. The Board welcomed Mr. Terrill to Cass County. No action necessary.
- 5C. Mr. Ringle and Eel Pout Festival organizer Jared Olson presented the 2014 Eel Pout cleanup sanitation plan. The goal is to quicken the pick-up process during the event and on Sunday and Monday immediately following the festival. Mr. Olson will be purchasing two new 16 foot trailers, has purchased 80 new metal 55 gallon trash barrels, and will have two 30-40 yard dumpsters at each landing. Working closely with the Sheriff's Office and the DNR event staff will assure that if encampments cannot pick up after themselves they will be ticketed for littering. Mr. Olson also added that the festival will be renting 35 portable toilet facilities along with another 40 that will be available for private individuals to rent and put in their camps, as last year 36 units were rented out. Mr. Olson added that he is currently investigating the possibility of providing a map handout to festival goers that will show location of major plowed roads and trash and portable toilet facility sites. Mr. Ringle added that staff from Cass County ESD will monitor the trash pickup and sanitation plan implemented by the Eelpout Festival permit holder during and immediately following the festival and alert sanitation staff if problems arise and assist in finding solutions. Kevin Beal commented on the scope and size of the clean-up area.

M/S/P Dowson, Gaalswyk – To receive & file the Eelpout Festival trash and sanitation plan as presented. Unanimous.

- 6A. Sheriff Tom Burch and Emergency Management Coordinator Kerry Swenson informed the Board of the Multi-Department Countywide Pandemic Response Exercise scheduled for Wednesday, February 19, 2014, beginning at 9:00 a.m. Mr. Swenson added that the exercise will be a tabletop and all participants (department heads, administration and Board Members) will be able to operate from their respective offices and will be given a scenario and updates as the day goes on. The COOP Plan and Emergency Operations Plan should be the only reference materials and answers should come from those two documents. This will fulfill the exercise requirements for 2013 and 2014.

M/S/P Dowson, Gaalswyk – To receive & file notice of a the multi-department Countywide pandemic response exercise on Wednesday, February 19, 2014 and further to request a report back of the results. Unanimous.

- 6B. Sheriff Burch reported that the City of Backus has approved and signed a law enforcement contract with Cass County for services from the Sheriff's Office.

M/S/P Dowson, Peterson – To approve execution of a law enforcement services contract with the City of Backus beginning on January 1, 2014 for a cost not to exceed \$16,640 for one deputy at not less than 8 hours per week. Unanimous.

- 7A. Chief Financial Officer Larry Wolfe presented the final draft of the 2014 budget. Mr. Wolfe discussed FY 2014 funding sources/uses, area property tax rates, and local property tax rates. No action necessary.
- 7B. Director of Business Management Melanie Wolfe reviewed the HHVS cash account balance comparison, and the child services costs trends through October 2013. By consensus, the Board congratulated the HHVS staff on performance to date. No action necessary.

8. County Administrator Yochum confirmed the upcoming meeting schedule.

M/S/P Kangas, Peterson – To approve holiday closing of the Cass County Courthouse to the public beginning at 3:00 p.m. schedule on Tuesday, December 24, and Tuesday, December 31, 2013. Unanimous.

M/S/P Kangas, Peterson – To approve attendance at Region Five - Resilient Region Plan, Tuesday, January 14, 2014, beginning at 4:00 p.m., Arrowwood Lodge, Baxter, MN. Unanimous.

9. By consensus the Board tabled the 2014 committee appointment list until Tuesday, December 17, 2013, and the Chairman recessed the meeting at 4:45 p.m.

10A. Chairman Downham reconvened the meeting at 6:00 p.m. in the Commissioners Board Room of the Courthouse, Walker, MN for the purpose of conducting the Truth-N-Taxation public hearing on the proposed 2014 Cass County budget and property tax levy.

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	Mark Peterson	Assessor
Penny Vikre	Assessor's Office	Reno Wells	HHVS Director
Melanie Wolfe	HHVS		

10B. Chief Financial Officer Larry Wolfe explained the exhibits prepared for the hearing and summarized the proposed 2014 budget.

10C. Mr. Wolfe presented a sales tax savings estimate (as required by statute) in the amount of \$122,364.00 for FY 2014 based upon sales tax activity in FY2012.

M/S/P Kangas, Peterson – To receive & file the sales tax estimate for 2014. Unanimous.

10D. Chairman Downham asked for public comments on the 2014 Cass County Budget. Administrator Yochum presented five written comments received as a result of the Truth-N-Taxation notices all of which will receive a written or phone response.

No members of the public were present at the hearing.

10E. M/S/P Dowson, Kangas - To close the hearing and table adoption of the 2014 Cass County levy & budget until Tuesday, December 17, 2013, at the regular Cass County Board of Commissioners meeting, beginning at 9:00 a.m., Board Room, Courthouse Annex, Walker, MN. Unanimous.

11. Chairman Downham adjourned the meeting at 6:03 p.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator