

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
February 18, 2014**

- 1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, February 18, 2014, 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
John Ringle	ESD Director	Josh Stevenson	Land Commissioner
Reno Wells	HHVS Director	Michele Piprude	Social Services Manager
Jeri Seegmiller	County Team Leader	Jamie Richter	Director Public Health Nursing
Jim Schneider	Probation Director	Tom Burch	Sheriff
Dave Enblom	Highway Engineer	Laura Hadrava	Construction/Design Engineer
Brenda Davis	ESD	Sue Wickland	Probation Department
Sarah Smythe	HHVS	Wanda Reed	HHVS
Marissa Skuza	Greater Lks Assn. of Realtors	Cheryl Brown	Brown's Sep-Tech
Ron Brown	Brown's Sep-Tech	Bill Hansen	Bill Hansen Realty
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Downham, Gaalswyk – To approve the agenda items for discussion as presented. Unanimous.

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

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

Approve - Board Minutes of February 4, 2014.

Approve - Auditor manual warrants dated January, 2014 in the amount of \$891,811.11.

Approve - Auditor warrants dated January 30, 2014 in the amount of \$207,175.12.

Approve - Auditor warrants dated January 31, 2014 in the amount of \$2,422.96.

Approve - Auditor warrants dated February 6, 2014 in the amount of \$314,252.82.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated February 7, 2014 in the amount of \$38,346.33.

Approve - HHVS Auditor warrants dated February 7, 2014 in the amount of \$51,671.19.

Approve personnel actions - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Amy Asell, Office Support Specialist, Grade 15, Step 1 vacated by Melanee Pendzimas effective February 1, 2014. 2. Receive & file - Notice of temporary appointment of Heather Siegler, effective February 5, 2014 as Office Support Specialist, Grade 6, Step 1 to assist in preparation of paperless process in Income Maintenance Unit. 3. Receive & file - Notice of retirement of Bob Kadus, Pillager/Pine River Area Maintenance Foreman, effective April 4, 2014, Notice of intent – To appoint Albert Disterhaupt as Area Maintenance Foreman, grade 28, effective April 7, 2014, and Notice of intent - To fill Albert Disterhaupt position of Motor Equipment Operator grade 21. B. Positions scheduled for no replacement at this time: None. C. Other. 1. Receive & file - Notice of completion of temporary assignment of Amy Asell, Office Support Specialist effective January 31, 2014.

Approve licenses – Tobacco - Woman Lake Lodge - Jeffrey S Burks, Woodrow Twp.

Authorize - Payment to Mark J. Beard (Invoice#0001) in the amount of 537.50; Widseth Smith Nolting & Assoc., Inc. (Invoice#94732) in the amount of \$3,660.00.

Receive & file - Cass County's 2013 Enhanced 911 Audit.

Receive & file - Auditor -Treasurer's Interest Income Report for January 2014.

Receive & file - Notice of Application of North Dakota Pipeline Com, LLC for Pipeline Routing Permit for Sandpiper Pipeline Project public information meetings.

Approve - Resolution No. 10-14 for Rental Rehabilitation Deferred Loan Program sponsored by Central Minnesota Housing (MHFA) Partnership.

Commissioner Peterson offered Resolution No.10-14 and moved its adoption, Commissioner Gaalswyk seconded:

WHEREAS, Cass County has made significant progress in meeting the need for housing rehabilitation in the cities and rural areas of the county, and

WHEREAS, an unmet need remains for the repair and rehabilitation of rental housing units, and

WHEREAS, the Rental Rehabilitation Deferred Loan Program sponsored by Minnesota Housing (MHFA) may provide a means for rehabilitating rental housing units in Cass County.

NOW THEREFORE BE IT RESOLVED, that the Central Minnesota Housing Partnership is hereby approved to continue as the administrative body for implementing this program in Cass County.

Resolution No. 10-14 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Approve - Transfer of funds from Unorganized Township to Highway Department in the amount of \$43,443.41 for road maintenance and administrative costs from November through December 2013.

Approve - Fire contract for Unorganized Twp. from Jan. 1, 2014 – Dec. 31, 2014 with Longville Fire Department \$660.00/yr. (same as 2013).

Approve - Deep Portage Reserve insurance premiums on solar pv panels and solar hot water, wind turbine & tower in the amount of \$939.00 from January 1 – December 31, 2014.

Receive & file - DEED MN Investment Fund Program Grant Contract CSAP-13-0116-H-FY14 with Jeffrey Drexler and David Handeland, Northern Sales & Manufacturing, LLC., and American Surplus & Manufacturing Inc.

Receive & file - Local Development Organization Agreement with Cass County, Cass County EDC regarding DEED MN Investment Fund Program Grant Contract CSAP-13-0116-H-FY14.

Approve - Annual subscription fee for Nixle in the amount of \$2,790.00.

Receive & file - Meeting notes from the Cass County/Leech Lake Band of Ojibwe Joint Meeting on Friday, January 31, 2014.

Declare - Surplus property and authorize competitive sale – forklift located at the Pine River Transfer Station.

- 2B. Administrator Yochum summarized an Ad Hoc Committee (Gaalswyk, Peterson) meeting of Tuesday, January 21, 2014. Items referred to the committee included the Cass County Housing and Redevelopment Authority (HRA) lease agreement at the Backus Land Department Building and the HRA budget. The HRA Board and the committee are scheduled to meet on April 15, 2014 and in the interim the parties recommend re-assignment of HRA file storage to the adjacent County HHVS office space.

M/S/P Gaalswyk, Peterson – To reassign the current HRA file storage area to the adjacent Cass County HHVS Office as presented. Unanimous.

3. Chairman Kangas acknowledged the public hearing notice of Tuesday, February 18, 2014 beginning at 9:15 a.m. at the Land Department Meeting Room, Backus, MN for the purpose of 2nd reading of Ordinance No. 2014-01 amending the Cass County Individual Sewage Treatment System Ordinance (No. 2007-02). Mr. Yochum reported receipt of a written comment from the Greater Lakes Association of Realtors (GLAR) received on February 17, 2014. Bill Hansen Jr. discussed the GLAR correspondence opposing the language in the draft ordinance relating to the transfer of property (Section 1006D), and the removal of escrow language within the ordinance. ESD Director John Ringle explained that the existing Land Use Ordinance (since 1996 for shoreland and 1997 for non-shoreland parcels) has similar language related to property transfers and escrow agreements. The referenced SSTS Ordinance amendments are intended to reflect the present practices.

M/S/P Dowson, Peterson – To table the 2nd reading of Ordinance No. 2014-01 amending the Cass County Individual Sewage Treatment System Ordinance No. 2007-02 and further to refer the same to the Planning Commission for comment. Unanimous.

- 4A. Land Commissioner Josh Stevenson and ESD Director John Ringle discussed the Cass County Geologic Atlas Project. Mr. Stevenson reported frequent communication with Township officials and private landowners regarding granular material located on county administered and private lands. Due to the recent expansion of agricultural activity in our County additional inquiries are made regarding ground water resources. The project previously approved by the Board requires

local units of government to assist in mapping the location of wells as reported to the Department of Health, and the University of MN projected up to five years to complete.

Land Commissioner Stevenson and ESD Director Ringle reported that the use of paid interns would expedite the process and perhaps would be an appropriate use of capital funds (fund balances, fund 73 and the Cass SWCD). Mr. Stevenson acknowledged that the staff is still in the process of contacting other counties that have completed the study prior to recommending use of local funds.

M/S/P Dowson, Downham - To table consideration of the use of fund balances for the Cass County Geologic Atlas Project. Unanimous.

- 4B. Mr. Stevenson informed the Board that the Cass County Land Department has been contacted regarding three separate Federal grant applications for capital improvements to County sponsored State of MN grant in aid trails. Mr. Stevenson also added that all three projects have a life expectancy of more than 10 years and are considered capital projects.

Mr. Don Hoppe explained the rationale for the cross country trail project and the active role of club volunteers. The application would provide cross country ski trail equipment estimated at \$54,000 (2 snowmobiles, 3 groomers, and 2 trailers) placed near trail systems for use by the Lake Country Nordic Ski Club. Local funding would be a Cass County match of \$6,750 and a club match of \$6,750.

Commissioner Dowson offered Resolution No. 11-14 and moved its adoption, Commissioner Peterson seconded:

WHEREAS, Cass County supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to purchase additional grooming equipment to service the current GIA Cross Country Ski Trail Systems. The four trail systems are located throughout Cass County, and
WHEREAS, Cass County recognizes that it has secured \$13,500 in local cash matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if Cass County is awarded a grant by the Minnesota Department of Natural resources, Cass County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. Cass County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, Cass County names the fiscal agent for Cass County for this project as:

Joshua Stevenson - Land Commissioner, PO Box 25, 218 East Washburn Avenue, Backus, MN 56435

BE IT FURTHER RESOLVED, Cass County hereby assures the Cass County GIA Cross Country Ski Trails will be maintained for a period of no less than 20 years.

Resolution No. 11-14 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Mr. Stevenson discussed the need to repair the Soo Line trail near of the City of Federal Dam. The Boy River has washed out a portion of the trail bed to the point it will need to be closed for safety concerns. The Cass County Highway Engineer estimates repairs of approximately \$25,000. The Land Department would provide a Cass County match of \$6,250.

Commissioner Dowson offered Resolution No.12-14 and moved its adoption, Commissioner Peterson seconded:

WHEREAS, Cass County supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to repair a washout on the Soo Line GIA ATV and Snowmobile Trail, located in Cass County, and
WHEREAS, Cass County recognizes that it has secured \$6,250 in local cash matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if Cass County is awarded a grant by the Minnesota Department of Natural resources, Cass County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. Cass County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, Cass County names the fiscal agent for Cass County for this project as:

Joshua Stevenson - Land Commissioner, PO Box 25, 218 East Washburn Avenue, Backus, MN 56435

BE IT FURTHER RESOLVED, Cass County hereby assures the Soo Line ATV/Snowmobile Trail will be maintained for a period of no less than 20 years.

Resolution No. 12-14 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Mr. Stevenson discussed Snowway 1 Trail bed improvements. The Leech Lake Riders Snowmobile Club has requested assistance to widen Snowway 1 from County Road 40 north to the Heartland Trail. This project is similar to the Snowway 1 project completed last summer with a capital improvement grant south of County Road 40 to MN 87. The proposed project is estimated at approximately \$40,000, with a Cass County match in the amount of \$10,000.00.

Commissioner Dowson offered Resolution No. 13-14 and moved its adoption, Commissioner Peterson seconded:

WHEREAS, Cass County supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to make improvements to the Snowway 1 GIA Snowmobile Trail, located in Cass County, and

WHEREAS, Cass County recognizes that it has secured \$10,000 in local cash matching funds for this project.

NOW, THEREFORE, BE IT RESOLVED, if Cass County is awarded a grant by the Minnesota Department of Natural resources, Cass County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. Cass County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED, Cass County names the fiscal agent for Cass County for this project as:

Joshua Stevenson - Land Commissioner, PO Box 25, 218 East Washburn Avenue, Backus, MN 56435

BE IT FURTHER RESOLVED, Cass County hereby assures the Snowway 1 GIA Snowmobile Trail will be maintained for a period of no less than 20 years.

Resolution No. 13-14 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 5A. Director of Public Health Nursing, Jamie Richter, and County Team Leader Jeri Seegmiller discussed the local Public Health assessment planning process including community engagement meetings. Staff reported the year 2013 customer satisfaction survey results and home health care client distribution (168 clients received 4,841 visits). The immunization program update explained the program scope, goals and reliable sources for information via websites, publications, phone numbers and videos where parents and providers can go to find answers regarding immunizations. The Board thanked Ms. Richter and Ms. Seegmiller for the information.
- 5B. HHVS Social Services Manager Michele Piprude presented the annual 2013 out of home placement (OHP) screening team report. Ms. Piprude discussed the composition of the team and case management trends for calendar year 2013 including volume, source of agency referral, age, gender, and contributing chemicals involved. SS Manager Piprude reported that the primary issues determined by the team to contribute to recent out of home placements were to be: neglect (9), behavior (11), truancy (1), mental health (5), abuse (16) and medical (0).

Probation Director Jim Schneider reported that Cass County OHP costs by type of placement in 2013 totaled \$1,485,264.00. Reimbursements from non-county sources in 2013 were \$287,029.00. The 2013 OHP activity at Northwest Juvenile Center consisted of 149 intakes at a cost of \$306,251. Mr. Schneider also reported that Cass County's member status provides a competitive cost per day compared to other MN facilities. No action necessary.

- 5C. HHVS Director Reno Wells discussed the HHVS public assistance fraud prevention investigation and criminal fraud control program. Mr. Wells explained that HHVS is currently under contract with the Department of Human Services (DHS) for a multi-county fraud prevention investigation (FPI) program through June 30, 2015 not to exceed \$80,000.00 which includes a service area of Cass, Todd, Wadena and Hubbard Counties. In addition HHVS has a contract with the Cass County Sheriff's Office for criminal fraud control. At the request of DHS HHVS has been looking at program alternatives. HHVS recommends expanding the relationship with the Sheriff's Office to include the public assistance fraud prevention investigation grant program. If approved the current position of Fraud Prevention Specialist within HHVS would be eliminated and the grant dollars would be utilized to cover the costs of the contract with the Sheriff's Department. Subject to consultation with adjacent Counties and DHS Sheriff Burch has agreed with the proposal through June 30, 2015.

M/S/P Dowson, Downham – To approve the form of agreements by and between HHVS and the Sheriff's Office for Public Assistance Fraud Prevention Investigation Program Services and the Public Assistance Criminal Fraud Control Services, receive and file notice of intent to eliminate the Fraud Prevention Specialist position in HHVS, and further receive and file notice of intent to backfill up to one Deputy position contingent upon need and continued funding by HHVS. Unanimous.

- 6A. Probation Director Jim Schneider presented the 2013 Probation Department Annual Report. The report indicated there were adult violations in 2013 of 1,220 (587 DWI's, 169 assaultive behavior, 140 driving after cancellation/no insurance, 157 disturbing peace, 73 underage consumption, 59 theft/damage to property, and 35 possession of marijuana/fleeing a police officer). Juvenile violations in 2013 were 782 (16 criminal sexual conduct, 226 minor consumption, 25 burglary, 64 possession of marijuana, 171 theft/damage stolen property, 78 obstructing legal process/false reporting/arson/negligent fire/criminal vehicle operation-injury/forgery, 47 traffic, and 155 assaultive behavior/domestic/harassment/disturbing the peace). Director Schneider added that in 2013 there were 458 probation violations reports with the court on adult and juvenile offenders and the collection of outstanding restitution in the amount of \$86,579.00 continues to be a priority of the department. Mr. Schneider also discussed financial trends, Wellness Court, the Diversion Program, electronic home monitoring, community involvement, and the 2013 goals. The Board thanked Director Schneider for the report.

M/S/P Downham, Dowson – To receive and file the 2013 Probation Department Annual Report, and further, to refer the report to the Cass County Citizen Budget Committee. Unanimous.

- 7A. Sheriff Tom Burch presented the 2013 Sheriff's Office Annual Report including service data: 19,830 emergency and non-emergency complaints where an ICR was generated; a 5.4% increase in calls for service; a total of 861 warrants; gun permits totaling 576 permit to carry and 475 permits to purchase; processed 2,251 criminal history checks; 1,130 civil process papers served; 494 no charge papers served; civil fees collected of \$67,212.79; serious offense report of 313 cases; completed 587 documented random compliance checks on predatory offenders; arrested 92 impaired drivers (average blood alcohol level .16 - two times the legal limit); countywide average response time of 9.9 minutes, countywide average on scene time 40.36 minutes; 1,977 total of jail bookings; 113 participants in the Sentence to Serve program; recreation safety/enforcement 168.5 hours patrol; safety classes dedicated 204.5 hours; lakes area dive team trained several dozen search and rescue personal on ice water rescues; contract for law enforcement services in the cities of Cass Lake, East Gull Lake (coverage over the 4th of July holiday) and Backus (2014); program service expansion with the TEEN CERT program; Take It To The Box collected 492.48 pounds of unwanted prescription medication; emergency management included the Nixle notification system; 800 MHZ/ARMER project is operational; chaplaincy initiative and TRIAD members contributed 771 volunteer hours focusing on senior safety. The Board complimented the Sheriff for the report.

M/S/P Dowson, Downham - To receive and file the 2013 Sheriff's Office Annual Report and further to refer the report to the Cass County Citizen Budget Committee. Unanimous.

- 7B. Sheriff Burch presented a proposed contract with Motorola to add ARMER 800MHZ transmission equipment to the Pike Bay Tower (owned by MnDOT) in the amount of \$87,869.00. Mr. Burch explained the expanded radio coverage that will result from the improvements.

M/S/P Dowson, Gaalswyk – To approve entering into a contract with Motorola to add ARMER 800MHZ transmission equipment to the Pike Bay Tower (owned by MnDOT) in the amount of \$87,869.00. Unanimous.

- 7C. Sheriff Burch discussed the upcoming International Eelpout Festival to be held on Leech Lake on February 20 through 23, 2014. Mr. Burch reported that three permits have been issued: Jared Olson on behalf of the International Eelpout Festival, the Chase on the Lake, and Charlie's Up North.

Each permit has similar terms including a written site sanitation clean-up plan that includes removal of human waste and garbage upon the completion of the event. No action necessary.

- 8A. Highway Engineer Dave Enblom, and Construction/Design Engineer Laura Hadrava presented bids opened on February 11, 2014 at 2:00 PM for Contract No. 111936 - Projects CP 011-2013(SCT V) Shingobee Connection Trail Phase V and SP 1119-36 Trunk Highway 371 widening. Engineer Enblom discussed the budget status reporting that the apparent low bid is with-in available budgeted funds.

Engineers Estimate - \$1,026,933.60

<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Reierson Construction, Inc.	\$ 921,881.72	10.23% Under Estimate
Midwest Contracting, LLC.	\$ 980,500.75	4.52% Under Estimate
Aspen Construction Company	\$ 992,688.76	3.33% Under Estimate
Landwehr Construction	\$1,006,070.25	2.03% Under Estimate

M/S/P Dowson, Gaalswyk - To award a contract to the apparent low bidder Reierson Construction, Inc. for contract No. 111936 - Projects CP 011-2013(SCT V) Shingobee Connection Trail Phase V and SP 1119-36 Trunk Highway 371 widening in the amount of \$921,881.72. Unanimous.

- 8B. County Engineer David Enblom reported back on the referral by the County Board regarding a Town line road maintenance agreement between May and Meadowbrook Townships (96th street). Mr. Enblom explained that the County Board has the option to order improvements when Town roads are considered impassable (Mn Statutes 163.16). Engineer Enblom stated that he had contacted both Townships and that the road is in reasonable repair. Cass County Association of Townships Chair Reno Wells reported that Townships generally prefer local solutions rather than County intervention.

M/S/P Downham, Gaalswyk – To respectfully decline to order improvements to 96th street a Town line road shared between May and Meadowbrook Townships. Unanimous.

9. County Administrator Yochum confirmed the upcoming meeting schedule: a. USDA Forest Service Open House, Wednesday, March 5, 2014, Walker, MN.
10. Chairman Kangas adjourned the meeting at 11:05 a.m.

SIGNED: _____
Bob Kangas, Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator