

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
April 1, 2014**

- 1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, April 1, 2014, 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
John Ringle	ESD Director	Sharon Anderson	Auditor-Treasurer
Tom Burch	Sheriff's Office	Tim Richardson	Central Services Director
Joel Norenberg	Sheriff's Office	Doug Schultz	Areas Supervisor - MN DNR
Jeri Seegmiller	HHVS	Jamie Richter	HHVS
Reno Wells	HHVS	Melanie Wolfe	HHVS
David Enblom	Highway Engineer	Kris Lyytinen	Asst. Highway Engineer
Laura Hadrava	Construction/Design Engineer	Linda Husby	County Administrator's Office
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot-Independent

- 1B. M/S/P Peterson, Downham – To approve the agenda items for discussion as presented after deleting Item 6A. (reschedule Cheryl Lee Hills Region Five Development Commission update on resilient region planning to the regular meeting of Tuesday, April 15, 2014). Unanimous.

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

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

Approve - Board Minutes of March 18, 2014.

Approve - Auditor warrants dated March 13, 2014 in the amount of \$201,448.94.

Approve - Auditor warrants dated March 20, 2014 in the amount of \$169,342.21.

Approve - HHVS Commissioner warrants dated March 21, 2014 in the amount of \$161,877.62.

Approve - HHVS Auditor warrants dated March 21, 2014 in the amount of \$150,055.74.

Approve - Personnel items A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Kevin Dahlman to the position of Assistant Land Commissioner at grade 34 step 1, effective date of March 31, 2014, and Receive & file - Notice of intent to fill budgeted Resource Manager position vacated by Kevin Dahlman, grade 28. 2. Receive & file - Notice of resignation of Karen Eischens, County Agency Social Worker, effective April 9, 2014, and Receive & file - Notice of intent to fill budgeted County Agency Social Worker position Grade 28. B. Positions scheduled for no replacement at this time: None. C. Other. None.

Approve - On & Off Sale 3.2 Beer - Black Bear Golf - Black Bear Golf, LLC, Pine River Twp.; Gambling - The Young at Heart Club (YAH) on June 21, July 5, July 19, and Aug. 2, 2014 - Laurel Forseth, Kego.

M/S/P Gaalswyk, Peterson – To award contract to Fuhr Flying Service in the amount not to exceed \$20,601.00 for color infrared aerial photography flight in Northwest Cass County. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Fuhr Flying Service	\$20,601.00
ProWest and Associates	\$23,275.00

Receive & file - Cass County EDC February 2014 Activity Report.

M/S/P Gaalswyk, Peterson - To award Project #32 to Northern Engineering & Consulting, Inc. not to exceed \$10,520.00, Project #33 to Kohout Surveying not to exceed \$4,474.00, Project #34 to Kohout Surveying not to exceed \$14,875.00 and Project #35 to Kohout Surveying not to exceed \$6,300.00. Unanimous.

Bidder	Project #32 <u>Woodrow/Ponto</u>	Project #33 <u>Bull Moose</u>	Project #34 <u>Thunder Lake</u>	Project #35 <u>Poplar</u>
Clark Engineering Corporation	\$23,025.00	\$16,350.00	\$15,550.00	\$10,650.00
Karvacko Engineering	\$14,200.00	\$18,200.00	\$15,800.00	\$12,800.00
Kohout Surveying	\$12,745.00	\$4,474.00	\$14,875.00	\$6,300.00
Northern Engineering & Consulting, Inc.	\$10,520.00	\$11,390.00	\$15,020.00	\$10,880.00
Nyberg Surveying	\$16,550.00	\$9,500.00	\$25,000.00	\$9,990.00
Widseth Smith Nolting	\$16,750.00	No Bid	No Bid	\$9,600.00

M/S/P Gaalswyk, Peterson – To award a contract to Superior Forestry Services, Inc for the 2014 planting season of 41,500 trees in the amount of 49.75/thousand seedlings. Unanimous.

Bidder	Bid Amount
Superior Forestry Services, Inc.	\$49.75/thousand seedlings
Anthony Bull	\$100.00/thousand seedlings

Receive & file - Quarterly report of litigated claims.

Receive & file - HHVS Cash Account Balance Comparison and Child Service Costs through February 2014.

Approve - Capital project payments: Action Contracting, Inc (Inv. #4613) in the amount of \$1,600.00 door at Land Dept. Bldg.; Action Contracting, Inc. (Inv. #4615) door modification & installation of doors in Child Support & Accounting at HHVS in the amount of \$9,043.72.

Approve - Capital project payments: Bay Carpet & Tile, Inc. (Inv. #4741) in the amount of \$1,000.00 to patch vents at Pine River Post Office; Widseth, Smith Nolting (Inv. #95596) Highway Shops upgrades in the amount of \$4,850.00.

Accept - Donation of 0.08 acres from Leroy Baldwin and incorporate the land into the existing county land asset management program.

Approve - USFS grant of permission for prescribed burn in the vicinity of White Oak Lake and the Boy River.

Receive & file - Correspondence from DHS congratulating Cass County HHVS for perfect performance in financial reporting requirements for 2013.

Receive & file - Cass County Family Center 2013 Annual Reports.

Approve - One year extension of the ISTS Inspector Contract with Cheryl & Ron Brown of Brown's Sep-Tech Services in the amount of \$75.00 for each inspection properly executed and documented, effective April 1, 2014 through March 31, 2015.

Approve - Resolution No. 20-14 Sheriff's Office 2014 Boat and Water Safety Grant (SWIFT Contract #75295) in the amount of \$58,849.00.

Commissioner Gaalswyk offered Resolution No. 20-14 and moved its adoption; Commissioner Peterson seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2014 Annual County Boat and Water Safety Agreement (SWIFT Contract #75295) for \$58,849.00 with the State Department of Natural Resources, and authorizes signature of the Chairman, Auditor or Administrator, and Sheriff to execute the Agreement.

Resolution No. 20-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Accept - Donation to the Sheriff's Office in the amount of \$250.00 from Wilkinson Township for Lakes Area Dive Team.

Refer - Highway #210 Transit Study to an AdHoc Committee of the Board (Commissioners Gaalswyk and Kangas).

Receive & file - Drainage System No. 9 Committee of the Board meeting notes of Tuesday, March 18, 2014.

Receive & file - Timber auction results of March 27, 2014.

Accept - 2013 State Radio Board Program Grant #A-SRB-2013-NEMN-RRB-00007 in the amount of \$53,000.00 from April 1, 2014 - June 30, 2014.

Approve - Communications Facility Use Agreement #05199 for antenna space & shelter space at the MnDOT-Pike Bay tower facility.

- 2B. Administrator Yochum discussed the upcoming National Volunteer recognition week of April 6 - 12, 2014. Mr. Yochum reported that approximately 427 volunteers serve on a volunteer basis to Cass County including: Sheriff's Office – posse mounted patrol (22), boat & water (70), dive team (22), TRIAD (51), and chaplains (15); Highway Dept. – adopt a highway (150); Health, Human & Veterans Services – volunteer drivers (40); County Board of Commissioners – committee appointments (57).

M/S/P Dowson, Downham – To approve recognition of the 57 volunteers appointed by the County Board of Commissioners to various committees and request Cass County Departments to acknowledge their volunteers as well. Unanimous.

Commissioner Dowson offered Resolution No. 19-14 and moved its adoption; Commissioner Downham seconded:

WHEREAS, volunteers inspire and mobilize people to take action that improve our County, and
WHEREAS, meaningful connections result within our community service organizations, and
WHEREAS, individuals and communities that are committed make a difference, and
WHEREAS, the week of April 6-12, 2014 is nationally recognized as an opportunity to thank volunteer service, and
WHEREAS, the giving of oneself in service to another empowers the giver and the recipient, and
WHEREAS, experience teaches us that government by itself cannot solve all of our nation's problems, and
WHEREAS, approximately 427 individuals currently volunteer service to Cass County.

NOW, THEREFORE, the Cass County Board of Commissioners do hereby resolve:

1. That April 6-12, 2014 is proclaimed to be volunteer recognition week in Cass County, MN.
2. That the Board of Commissioners urge our fellow citizens to continue to volunteer.
3. That we gratefully thank those that do.

Resolution No. 19-14 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 3A. Doug Schultz (Area Fisheries Supervisor MN DNR) explained a proposed state land acquisition of Lots One (1), Two (2) and Three (3) in Block Four (4), Roger's Peninsula (parcels 73-421-0410, 73-421-0420, 73-421-0430) in Miller Bay on Leech Lake, S31, T142N, R29W. The land to be acquired is approximately 3 acres and will be designated as an Aquatic Management Area which is intended to protect critical aquatic habitat (the property abuts one of seven known muskellunge spawning sites on Leech Lake which are extremely sensitive to human activities because of its shallow properties). Due to its proximity to residential properties, this property would be further designated as a Restricted Use Aquatic Management Area, meaning hunting and trapping would be prohibited activities but the property would otherwise be available for non-motorized public use. Funding for this parcel will include funds from Reinvest in Minnesota (RIM). The use of RIM funds to purchase property by the State requires County approval. Mr. Schultz previously reported the Boy Lake Town Board support for the request.

Commissioner Downham offered Resolution No. 21 -14 and moved its adoption, Commissioner Dowson seconded:

Review of Proposed State Land Acquisition

In accordance with Minnesota Statutes 84.944, Subd. 3 and 97A.145, Subd. 2, the Commissioner of the Department of Natural Resources on April 1, 2014 provided the county board with a description of lands to be acquired by the State of Minnesota for Aquatic Management Area purposes.

Lands to be acquired are described as follows: Lots One (1), Two (2) and Three (3) in Block Four (4), Roger's Peninsula, according to the recorded plat thereof, Cass County, Minnesota (parcels 73-421-0410, 73-421-0420, 73-421-0430) in Miller Bay on Leech Lake, S31, T142N, R29W.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Cass County on April 1, 2014 that the State's proposed acquisition of the attached described property be approved.

Resolution No. 21-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4A. Sheriff Tom Burch introduced Lieutenant Joel Norenberg and Director of Public Health Nursing Jamie Richter. Mr. Norenberg discussed the 2014 biennial jail facility inspection report by the MN Department of Corrections pursuant to MN Statute 241.021. Lieutenant Norenberg reported inspection results of 100% compliance with mandatory standards and 96.7% compliance with essential standards. Mr. Norenberg acknowledged excellent staff performance and also commented on the need to schedule capital maintenance for the detention center. Sheriff Burch discussed the inmate boarding arrangements at Crow Wing and Hubbard Counties.

Sheriff Burch informed the Board that he has notified the Regional Radio Board that he does not support replacement of the present Sheriff's Office dispatch consoles ("gold elite") at this time. Mr. Burch said that the present system is working well and should not be subject to the supplier (Motorola) deciding when to "upgrade". Preliminary estimates for replacement are approximately \$300,000 to \$440,000.

Director of Public Health Nursing Jamie Richter discussed jail health services provided by HHVS in 2013 which averaged 5.5 hours per week for a daily inmate population of 21 persons. Nursing staff responded to 302 "sick calls" with highest percent for mantoux tuberculosis screenings and medication management. Ms. Richter also explained the coordination of payment sources for jail health services by HHVS staff to mitigate County costs. An example was given that beginning January 1, 2014, qualifying pre-adjudicated inmates can have their medical expenses, hospitalization, outpatient care, and prescriptions covered by MNCare.

Ms. Richter distributed the 2014 Cass County health ranking survey by the University of Wisconsin Population Health Institute and the Robert Wood Foundation. Cass County ranked 86th of 87 MN Counties in health outcomes and 86th of 87 MN Counties in health factors. The ranking system includes such criteria as health behavior, clinical care, environment, social and economic factors, and physical environment. Cass County Health, Human and Veterans Services continue to work with many partners to improve health rankings.

- 5A. ESD Director John Ringle presented draft Ordinance No. 2014-01 (as amended at the March 18, 2014 regular meeting) which replaces the present Ordinance by repealing Cass County Individual Sewage Treatment System Ordinance No. 2007-02 effective May 18, 2007. In accordance with the County Board meeting rules of business (No.14) second reading and final adoption of the same was continued to this regular meeting of April 1, 2014. No additional amendments were offered. Director Ringle recommended that Ordinance No. 2014-01 become effective on May 1, 2014.

M/S/P Dowson, Downham – To adopt on 2nd and final reading Cass County Subsurface Treatment System Ordinance No. 2014-01 effective May 1, 2014 after its publication and filing as provided by law. Unanimous.

- 5B. Director Ringle reported that in 2005, the Cass County Townships of Turtle Lake, Leech Lake and Shingobee entered into a Joint Powers Agreement establishing the Southwest Leech Lake Planning Group Joint Powers Board for the express purpose of conducting over 750 SSTS compliance inspections on all properties riparian to Leech Lake. Cass County served as fiscal agent and grant administrator. The inspections were conducted as planned, and Cass ESD has received letters from all three townships requesting termination and disbandment of the Joint Powers Board (JPB). SSTS inspections were completed and no funds or equipment remain. The JPB served its function admirably, and termination will result in insurance savings for the townships as well as a reduction of recordkeeping by Cass County.

M/S/P Dowson, Peterson – To receive & file notice of termination of a Joint Powers Agreement with Leech Lake, Turtle Lake, and Shingobee that established the Southwest Leech Lake Wastewater Planning Group. Unanimous.

- 7A. Auditor-Treasurer Sharon Anderson discussed the annual payment received by Cass County of 10% of the State share of sales & use taxes collected under an agreement between the State and the Leech Lake Band of Ojibwe. Ms. Anderson reported a 2014 settlement amount of \$83,650, however due to accounting system errors by the State, an additional \$87,575 (for years 2004 through 2012) has been received for a total \$171,225.00. Actual amount remitted in 2012 was \$59,861.00, the actual remitted amount in 2013 was \$75,427 and the budget for 2014 is \$70,000.00.

M/S/P Gaalswyk, Peterson – To receive & file Cass County's share of State sales & use taxes collected on the Leech Lake Reservation in the amount of \$171,225.00 for FY2013. Unanimous.

7B. Ms. Anderson presented draft amendments to the Cass County Capital Improvement Plan for the years of 2015 through 2019. Amendments included clarification of project approval procedures, discussion of fund transfers for capital purposes, project detail for the next five years and discussion of projects beyond 2020. By consensus, the Board requested additional information on the 2015 capital maintenance program, existing jail capital maintenance/equipment plan, new jail costs, and status of projects underway.

M/S/P Peterson, Downham - To establish a public hearing on adoption of the 2015-2019 Cass County Capital Improvement Plan for Tuesday, May 6, 2014, during the regular Board meeting beginning at 9:00 a.m. in the Commissioner's Board Room, Cass County Courthouse, Walker, MN. Unanimous.

8. County Administrator Yochum discussed the upcoming meeting schedule.

9. Chairman Kangas adjourned the meeting at 10:20 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator