

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
April 15, 2014**

1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, April 15, 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
Josh Stevenson	Land Commissioner	John Ringle	ESD Director
Kris Lyytinen	Asst. Highway Engineer	Mark Peterson	County Assessor
Reno Wells	HHVS Director	Lori Muller	HHVS
Tim Crawford	HHVS	Cheryal Lee Hills	Region Five Commission
Scott Wilson	Cass Co. HRA	Rachelle Fuller	Court Administration
Kevin Dahlman	Asst. Land Commissioner	Tim Richardson	Central Services Director
Christopher Strandlie	County Attorney	Linda Husby	Administrator's Office
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

1B. M/S/P Downham, Gaalswyk – To approve the agenda items for discussion as presented and the addition of Item 2A.9 (Receive & file notice of retirement of Social Worker Tim Crawford, effective April 25, 2014), Item 2A.16. (Rachelle Fuller Cass County Court Supervisor request to be heard), Item 2D. (Approve Memorandum of Understanding Teamsters Local No. 320 Sheriff's Patrol/Jail Unit - employees to participate in a post-retirement health plan through December 31, 2014), and Item 8C. (Appoint Commissioners Gaalswyk and Peterson as Board representatives to a Planning Commission Task Force). Unanimous.

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

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

Approve - Board Minutes of April 1, 2014.

Approve - Auditor manual warrants dated March 2014 in the amount of \$691,634.17.

Approve - Auditor warrants dated March 27, 2014 in the amount of \$403,164.41.

Approve - Auditor warrants dated March 31, 2014 in the amount of \$319.28.

Approve - Auditor warrants dated April 3, 2014 in the amount of \$90,625.23.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated April 4, 2014 in the amount of \$69,394.31.

Approve - HHVS Auditor warrants dated April 4, 2014 in the amount of \$53,522.94.

Approve personnel items: A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Barry Flategraff to the position of Motor Equipment Operator in the Pine River Maintenance Shop, grade 21 step 1, effective date of April 14, 2014. 2. Receive & file - Notice of resignation of Jennifer Johnson, Eligibility Worker, effective April 25, 2014, and Receive & file - Notice of intent to fill budgeted Eligibility Worker position, Grade 22. 3. Receive & file - Notice of retirement of Tim Crawford, County Agency Social Worker, effective April 25, 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.

HHVS Director Reno Wells introduced County Team Leader Lori Muller who commented on Tim Crawford's accomplishments as a Social Worker. On behalf of the Cass County Board of Commissioners Board Chairman Kangas presented Tim Crawford a Certificate of Appreciation recognizing his twenty-one years of outstanding service to Cass County Health, Human, and Veteran Services.

Approve licenses – Set-Up - All Pine Inn Resort - Richard Anderson, Beulah; Salty Dog Saloon & Eatery - Thomas Sewall, Powers. On & Off Sale 3.2 Beer - Cherney's Resort - Ignace Cherney, Unorganized.

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

Approve Assessor's Office Abatements 2014 tax year Thomas Breikreutz, 36-022-4407 Rogers, clerical error, reinstate homestead and DAV (current \$1,178, proposed \$0, tax change \$1,178); 2013 tax year E M Brothers, LLC 95-362-0440 Remer city, damage abatement fire 7/24/13, (current \$6,816, proposed \$2,793, tax change \$4,023); 2014 tax year Amy Nelson 41-498-0104 Sylvan, clerical error homestead abatement (current \$3,156, proposed \$2,500, tax change \$656); 2014 tax year Bobbi Jo Seely 03-103-3202 Becker, clerical error homestead abatement (current \$1,114, proposed \$928, tax change \$186); 2013 tax year Bobbi Jo Seely 03-103-3202 Becker, clerical error homestead abatement (current \$1,058, proposed \$886, tax change \$172); 2012 tax year Bobbi Jo Seely 03-103-3202 Becker, clerical error homestead abatement (current \$1,004, proposed \$842, tax change \$162); 2014 tax year Stephen Getty 40-352-0180 Smoky Hollow, clerical error unfinished house (current \$2,044, proposed \$1,660, tax change \$384).

Authorize - 1st quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

Receive & file - Probation Department amended Remote Electronic Alcohol Monitoring (REAM) Grant for additional funding of \$3,000.00 for a total of \$20,000.00 (FY2014 in the amount of \$11,500 and FY2015 in the amount of \$8,500) original grant was \$17,000.00.

Approve - HHVS purchase of service contract: MN Dept. of Health Follow Along Program (new program) from April 1, 2014 - June 30, 2015 with financial changes not to exceed \$3,814.00.

Approve - Purchase and installation of window blinds for areas in the historic Courthouse not to exceed \$8,872.00 (Source of funds capital budget).

Rachelle Fuller Cass County Court Supervisor thanked the Cass County Commissioners for recent remodeling of Court Administration office space.

Amend - HRA lease agreement termination notice from ninety (90) days to twenty four (24) months.

Award - Contract to Lawrence Valuation Service LLC for all three parcels (Ruprecht Bull Moose Township) not to exceed \$2,400 (received one bid for appraisal on the parcel).

Approve - Capital project payments: Ferrellgas (Acct#3613778) Highway Shops upgrade \$295.32 (furnace hook-up Longville); Mark Beard (Acct. #0006) in the amount of \$100.00 (Pine River Post Office remodel); Zuercher Technologies, LLC in the amount of \$147,062.50 (upgrade Sheriff's Office records/dispatch system).

Accept - Donations from Orhan Soykan in the amount of \$10.00; American Legion Post #202 Hackensack, in the amount of \$300.00 for Veterans transportation program.

Approve - Fee schedule increase of HHVS Child and Teen Checkup from \$264.00 to \$300.00 and Early Childhood Screening charge from \$388.00 to \$397.00 recommended by the HHVS Advisory Board on March 24, 2014.

Receive & file - March 2014 EDC Activity Report.

- 2B. Administrator Robert Yochum summarized the Ad-Hoc Committee Transit and Ad-Hoc Committee Solid Waste meeting held on Tuesday, April 1, 2014. Items discussed were the proposed transit market study through the Region Five Development Commission, existing public transit systems in the area, and the current combined Cass County transportation programs.

M/S/P Gaalswyk, Peterson – To approve the Ad-Hoc Committee recommendation that any market study will include a focus on current Cass County transportation programs. Unanimous.

Mr. Yochum also reported discussion of the Ad Hoc Solid Waste Committee including draft agreements with five existing vendors, a request by Jim Kopachek for County assistance to remove "county tires" from his property, and an inquiry by the Leech Lake Band regarding a joint clean-up program.

M/S/P Gaalswyk, Peterson – To approve the recommendations of the Ad-Hoc Solid Waste Committee: 1.) to respond to Mr. Kopachek that Cass County declines the requested assistance in view of related court action and a 1998 claim settlement agreement, and 2.) to refer the Leech Lake Band inquiry regarding a joint clean-up program to the Liaison Committee (Downham, Dowson) and report back to this committee for coordination with other solid waste programs. Unanimous.

- 2C. Administrator Yochum reported that the Leech Lake Band Liaison Committee met on April 2, 2014. The committee discussed the status of action items of a joint meeting with the Tribal Council of January 31, 2014 and filed the same with the County Board and Tribal Council. The committee and staff also discussed current countywide solid waste programs and possible partnering to accelerate existing Tribal programs – the committee recommended that staff proceed with the concept and report to the Ad Hoc Solid Waste Committee prior to seeking Board review. No action necessary.
- 2D. Mr. Yochum requested Board approval to execute a Memorandum of Understanding (MOU) with Teamsters Local #320 (Sheriff's Patrol/Jail Unit) that defines the bargaining unit members severance pay to be contributed to a Post-Retirement Health Insurance Plan administered by the Minnesota State Retirement System through the current labor contract of December 31, 2014.

M/S/P Dowson, Downham – To authorize execution of a Memorandum of Understanding (MOU) as presented with Teamsters Local #320 (Sheriff's Patrol/Jail Unit) that defines the bargaining unit members severance pay to be contributed to a Post-Retirement Health Insurance Plan administered by the Minnesota State Retirement System through the current labor contract of December 31, 2014. Unanimous.

- 3A. Region Five Development Commission Executive Director Cheryal Lee Hills presented selected program updates. Director Hills provided written summaries of the status the Resilient Region Planning process that integrates the disciplines of housing, transportation, natural environmental (land use) and economic development. Region 5 operations highlights included the well/septic loan program, long term debt retirement, and pending grants including solar energy projects at the Pine River School District and the Leech Lake College. The Board thanked the Director for recent accomplishments by Region 5. No action necessary.
- 4A. Assistant Land Commissioner Kevin Dahlman presented the Land Department's annual report of 2013 activities. The document will be used during the budget review process, natural resource advisory committee discussions, distributed at upcoming timber auctions, and provides documentation for related legislative matters. The report will be posted on the Cass County Website.

M/S/P Dowson, Peterson – To receive & file with compliments the 2013 Land Department Annual Report as presented. Unanimous.

- 4B. Land Commissioner Josh Stevenson summarized the SWCD Board Meeting of April 3, 2014. Mr. Stevenson explained receipt of a report from Soils Consulting involving a stagecoach road and recommended vegetation management on affected county administered land. The Land Department intends to develop a response after consultation with Dr. Scott Anfinson. Mr. Stevenson reported the schedule to meet with all townships and cities in the next month to inform the same of their first right of refusal on properties in the upcoming public land sale. The SWCD Board tabled a request for a letter of support from the Coalition of Recreational Trail Users for mapping forest access roads and trails in Cass County. No action necessary at this time.
- 5A. Assistant Highway Engineer Kris Lyytinen presented bids opened on April 10, 2014 at 2:00 PM for County Project No. C.M. 2014-1 (Aggregate) - CSAH 4, CSAH 53, CSAH 55, CSAH 57, CSAH 68, C.R. 129, C.R. 136, C.R. 157 & FR 2112, and for the 2014 roadway striping program.

<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Swenson Aggregate & Construction, LLC	\$310,034.70	14.74% UNDER ESTIMATE
Hammerlund Construction, Inc.	\$345,820.00	4.89% UNDER ESTIMATE
Anderson Contracting, Inc.	\$389,976.30	7.25% OVER ESTIMATE
Tri-City Paving, Inc.	\$426,950.00	17.42% OVER ESTIMATE
Wm. D. Scepaniak, Inc.	\$467,602.90	28.60% OVER ESTIMATE
Anderson Brothers Construction Co.	\$525,460.50	44.51% OVER ESTIMATE

M/S/P Peterson, Gaalswyk - To award the bid for County Project No. C.M. 2014-1 (Aggregate) - CSAH 4, CSAH 53, CSAH 55, CSAH 57, CSAH 68, C.R. 129, C.R. 136, C.R. 157 & FR 2112, for aggregate surfacing & production to the apparent low bidder Swenson Aggregate & Construction, LLC in the amount of \$310,034.70. Unanimous.

<u>Item</u>	<u>Unit</u>	<u>Quantity</u>	<u>Traffic Marking Services, Inc.</u>		<u>AAA Striping</u>	
			<u>Bid</u>	<u>Total</u>	<u>Bid</u>	<u>Total</u>
4" Solid White Strip	LF	1,947,669	\$0.0392	\$76,348.62	\$0.0400	\$77,906.76
4" Yellow Stripe	LF	1,273,545	\$0.0392	\$49,922.96	\$0.0380	\$48,394.71
			Total	\$126,271.59	Total	\$126,301.47

M/S/P Dowson, Downham – To award the bid for year 2014 roadway striping to the apparent low bidder to Traffic Marking Serv., Inc. in the amount of \$126,271.59 (\$1,500.00 under estimate). Unanimous.

- 5B. Mr. Lyytinen explained that the Cass Lake highway maintenance shop occupies 3 tax forfeited parcels in the City of Cass Lake. The Highway Department would like to purchase the lots at the fair market value of \$14,541.20 (source of funds would be the capital budget). The parcels are described as Lots 1 thru 4, Blk. 23, (PID#85-344-2310); Lots 13 thru 20, Blk. 23, (PID#85-344-2350); Lot 24, Blk. 23, (PID#85-344-2370).

M/S/P Downham, Peterson – To authorize purchase of 3 tax forfeited parcels in the City of Cass Lake (parcels #85-344-2310, #85-344-2350, and #85-344-2370) in the amount of \$14,541.20 from the Highway Department portion of the 2014 Capital Plan. Unanimous.

6. Central Services Director Tim Richardson reported 26 responses were received from website design vendors with a wide range of services, features, and costs. Mr. Richardson explained that MIS staff plans to interview 7 respondents prior to the next Board meeting (May 06, 2014). Director Richardson expects the successful vendor proposal will be less than the Capital Plan estimate of \$50,000. He requested the Board to authorize the Central Services Director to select a vendor for the website design upgrade and present a draft contract for the same to the Board at the Tuesday, May 6, 2014 meeting.

Gaalswyk, Downham - To authorize the Central Services Director to select a vendor for the website design upgrade and present a draft contract for the same to the Board at the Tuesday, May 6, 2014 meeting. Unanimous.

- 7A. HHVS Director Reno Wells presented the 2013 HHVS Annual Report which included program descriptions and outcomes for each of the unit activities in the Cass County Health, Human, and Veterans Services Department. The Board complimented the Department on their work and an excellent annual report. No action necessary.
- 8A. ESD Director John Ringle presented the 1st quarter ESD Activity Report for 2014. Mr. Ringle reported that the first quarter revenue on zoning actions was nearly the same as last year at \$25,867 (versus \$23,510 in the first quarter of 2013). 162 zoning actions took place in this year's first quarter (versus 157 actions in last year's first quarter), which is comparable with first quarter activity over the past five years. Mr. Ringle added that the land use permit activity is slightly higher this year versus last, but the number of conditional use permits and variances are down slightly.

M/S/P Peterson, Peterson – To receive & file the 1st quarter ESD activity report for 2014. Unanimous.

- 8B. ESD Director John Ringle submitted a proposed donated perpetual conservation easement from the Leech Lake Area Watershed Foundation to protect the water resources of Cass County. The donated conservation easement will protect 151 acres of forest, 5.7 acres of wetlands, and 1600 ft. of shoreline on Rice Portage Lake, 1370 feet of shoreline on Deep Portage Lake, and 1205 feet of shoreline along Elbow Lake in Sections 7 and 18 in Ponto Township. Both Rice Portage Lake and Deep Portage Lake Shoreland (2900 ft.) are classified sensitive shoreline by the MNDNR. Mr. Ringle explained that this USFWS grant is a companion grant to the Cass County LCCMR grant for the "Conservation of Sensitive and Priority Shorelands in Cass County" which is now completed and this will likely be the last donated conservation easement completed and held by Cass under this combined project.

M/S/P Downham, Peterson - To authorize acceptance of the perpetual conservation easement from the Leech Lake Area Watershed Foundation for 151 acres of forest, 5.7 acres of wetlands, and 1,600 ft. of shoreline on Rice Portage Lake, 1,370 feet of shoreline on Deep Portage Lake, and 1,205 feet of shoreline along Elbow Lake in Section 7 and Section 18 of Ponto Lake Twp., Cass County, Minnesota. Unanimous.

8C. Mr. Ringle reported that on April 14, 2014 the Cass County Planning Commission established a task force to study land use effects of conversion of forest land to agriculture use and invites the County Board to participate. Director Ringle also commented on the recent 2013 MPCA SSTS annual report that indicated Cass County had the third highest compliance inspections in the State – the final report due out in the summer of 2014.

M/S/P Downham, Kangas – To appoint Commissioners Gaalswyk, and Peterson as County Board representatives on the referenced Planning Commission task force. Unanimous.

9. County Administrator Yochum reported no changes in the upcoming meeting schedule.

10. M/S/P Peterson, Gaalswyk – To close the meeting at 11:00 a.m. pursuant to MN Statutes 13D.05 Subd.3. (b). to discuss pending litigation (trespass). Unanimous.

Present for the meeting were all County Board members, County Administrator Robert Yochum, Chief Financial Officer Larry Wolfe, Land Commissioner Josh Stevenson, County Attorney Chris Strandlie, and ESD Director John Ringle.

11. Chairman Kangas reopened and adjourned the meeting at 11:15 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator