

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
May 20, 2014**

- 1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 6:00 p.m. on Tuesday, May 20, 2014, with the flag pledge at Pillager City Hall, 306 Elm Avenue West, Pillager, 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
Tom Burch	Sheriff	Dave Enblom	Highway Engineer
John Ringle	ESD Director	Gail Levenson	Cass County EDC
Kevin Lee	North Ambulance	Scott Bruns	Self
Gail DeBoer	Pilot Independent	Chad Sackett	MN National Guard-Camp Ripley

- 1B. M/S/P Gaalswyk, Downham – To approve the agenda items for discussion as presented and the addition of Item 6D. (aquatic invasive species plan coordination), and Item 7C. (City of Longville joint powers agreement amendment – CSAH #7). Unanimous.

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

M/S/P Dowson, Gaalswyk – To waive reading and approve the consent agenda as presented and the addition of notice of the June 2014 Cass County HHVS Employee of the Month. Unanimous.

Approve - Regular Board Minutes of May 6, 2014.

Approve - Auditor Manual Warrants dated April 2014 in the amount of \$441,389.15.

Approve - Auditor Warrants dated April 30, 2014 in the amount of \$146.69.

Approve - Auditor Warrants dated May 1, 2014 in the amount of \$113,084.29.

Approve - Auditor Warrants dated May 8, 2014 in the amount of \$97,038.15.

Receive & file - Monthly Budget Reports.

Approve - HHVS Auditor Warrants dated May 9, 2014 in the amount of \$142,228.07.

Approve - HHVS Commissioners Warrants dated May 9, 2014 in the amount of \$60,080.65.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of intent to advertise for temporary secretary due to upcoming leave (12 week leave beginning first of July), County Attorney's Office, grade 12, step 7. 2. Receive & file - Notice of appointment of Travis Bartnick to the position of Resource Manager at grade 28, step 1 effective June 9, 2014. 3. Receive & file - Notice of appointment of Tonya Heldt, County Agency Social Worker, grade 28, step 1 effective May 12, 2014. 4. Receive & file - Notice of appointment of Marsha McMillen County Agency Social Worker, grade 28, step 1 effective May 28, 2014. 5. Receive & file - Notice of appointment of Tahnee Hamilton to County Agency Social Worker, grade 28, effective August 2, 2014 and Receive & file - Notice of intent to fill County Agency Social Worker Child Protection Specialist vacated by Tahnee Hamilton. B. Positions scheduled for no replacement at this time: None. C. Receive & file - Notice of Cindi Becker as the June 2014 Cass County HHVS Employee of the Month.

Approve licenses – Lawful Assembly - Moondance Country Jam (June 20-21, 2014) - Moondance Jam, Inc., Turtle Lake; Moondance Jam (July 17-19, 2014) Moondance Jam, Inc., Turtle Lake. Tobacco - Legacy Glassworks, LLC @ Moondance - Josh Wilken-Simon, Turtle Lake. Off Sale Intoxicating Liquor - DJ's Liquor Outlet, Inc., Joe Karst DJ's Liquor Outlet, Inc., Powers.

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

Authorize - 25% Fund use of \$550.00 for environmental education at Deep Portage – Immanuel Lutheran School (11 participants) on April 22 through 23, 2014.

Authorize - Payment to Widseth Smith Nolting & Assoc. in the amount of \$1,215.00 (Inv. #96260) facility renovation energy upgrades and exterior improvements.

Receive & file - Recorder's Office 2013 summary of annual fees collected.

Approve Assessor's Office Abatements – Tax year 2013 Chad Tagtmeir, 83-337-2410 Bena, clerical error remove building value (current \$158.00, proposed \$20.00); Tax year 2014 Chad Tagtmeir, 83-337-2410 Bena, clerical error remove building value, (current \$172.00, proposed \$20.00); 2014 Tax year Time Warner, 42-823-4100 Thunder Lake, clerical error lease

cancelled, (current \$304.00, proposed \$0); Tax year 2014 James Vogt, 89-030-1311 Hackensack, clerical error homestead cancelled (current \$1,076.00 proposed \$800.00).

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

Approve - Resolution No. 26-14 vacate existing easement to Don Bruemmer in Section 19 Twp. 139 Rge. 29 (Ponto Lake).

Commissioner Dowson offered Resolution No. 26-14 and moved its adoption, Commissioner Gaalswyk seconded:

Cancel Right of Way Easement

Whereas, Minnesota Statute 282.04, Subd. 4, provides that County Auditors may grant easements on unsold tax-forfeited lands on such terms and conditions as the County Board may prescribe, and

Whereas, the easement may be cancelled by the County Board in the same manner it was granted, and

Whereas, the Bruemmer' s have requested the cancellation of an easement issued by Cass County, and

Whereas, a new easement has been issued by the current land owner.

NOW THEREFORE, BE IT RESOLVED by the Cass County Board of Commissioners, State of Minnesota that the easement issued to Don Bruemmer on September 3, 1986 for ingress and egress across the SE¼ of SE¼ in Section 19-139-29 is hereby cancelled at his request.

Resolution No. 26-14 was adopted by majority vote: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

M/S/P Dowson, Gaalswyk – To award the following 2014 hay stumpage permits: Tract #1 (19-134-31; May Township) to Larry Converse for \$28.00, Tract #2 (1-136-32; Poplar Township) to Keith Cory for \$285.00, Tract #3 (29-138-32; McKinley Township) to Rodney Aker for \$30.00, and Tract #4 (10-140-25; Smoky Hollow Township) to Terry Mejdrich for \$25.00. Unanimous.

<u>Tract #</u>	<u>Permit Area & Acres</u>	<u>Minimum Bid</u>	<u>Bidder Names</u>	<u>Bid Amount</u>
1	19-134-31 3 acres	\$25.00	Larry Converse	\$28.00
2	1-136-32 26ac	\$78.00(\$3/ac)	Keith Cory Robert Frie John Benson	\$285.00 \$260.00 \$202.00
3	29-138-32 3 ac	\$25.00	Rodney Aker	\$30.00
4	10-140-25 8 ac	\$25.00	Terry Mejdrich	\$25.00

Approve - Use of Conservation Fund #73 for Shingobee Connection Trail Project Phase V in the amount of \$27,421.53 to Northern Engineering, Inc. and WSB.

Authorize - Grant application submission US Dept. of Justice for FY2014 Smart Pretrail Demonstration Initiative up to \$100,000. - Probation Dept.

Approve - HHVS purchase of carpet for public interview rooms not to exceed \$13,000.00 (source of funds HHVS fund balance).

Approve - HHVS Director to execute individual vendor service agreements attested by the County Administrator.

Receive & file - Resolution from MHB in support of a County Geologic Atlas.

Approve - Out of state travel for Deputy Ryan Fisher to attend Tactical Medicine for Response Teams training in Fort Dodge, IA on July 8- 10, 2014.

Receive and file - Notice of intent to continue the 2014 absentee ballot board.

- 3A. Kevin Lee of North Memorial Ambulance (Brainerd Region) presented the first quarter 2014 report for the Longville Ambulance Subordinate Service District (LASSD). Mr. Lee informed the Board that the LASSD had 1 shift during the first quarter that did not have Advanced Life Support (ALS) coverage although at all times maintained the part time ALS license requirements.

Mr. Lee reported that LASSD transported or billed year to date 56 patients vs. 47 patients during the same time period in 2013. Revenues were \$6,852 above budget, and expenses were \$11,480 under budget (net margin of 18.1%). Community involvement included participation in quarterly Cass County EMS Task Force Meetings, and attendance at monthly Cass County radio users meetings. The Brainerd region's overall patient satisfaction score was 93.51 compared to the national database mean score of 92.93. Mr. Lee also commented that the Walker Ambulance will now have two crews which should reduce the frequency of the Longville Ambulance to backfill coverage in the Walker area.

M/S/P Downham, Peterson – To receive & file the 1st quarter report for the Longville Ambulance Subordinate Service District (LASSD). Unanimous.

- 4A. Sheriff Tom Burch presented a notice of intent to fill a vacancy created by the retirement of an Investigator. Currently the Sheriff's Office has two Investigators positions and two Deputies assigned to investigations (out of rank pay). The Sheriff explained that he will decide at a later date whether to fill the Investigator vacancy by position or assignment, but will definitely backfill with a Deputy at this time.

M/S/P Downham, Dowson – To receive & file the notice of intent to fill a budgeted vacancy in the Sheriff's Office due to an upcoming retirement in July 2014. Unanimous.

- 4B. Sheriff Burch discussed the Sunday, May 11, 2014 50 coal train car derailment west of Pillager in Sylvan Township near C.R.101 & Bigwater Addition Estates. Mr. Burch added that there were no reports of personal injury and that cleanup efforts are underway. Highway Engineer Dave Enblom reported recent contact with the railroad company insurance agent requesting Cass County to document any road damage for possible reimbursement. No action necessary.

- 5A. Lieutenant Colonel Chad Sackett discussed the military mission and positive economic impact of Camp Ripley. Deputy Post Commander Sackett detailed the upcoming training events scheduled at Camp Ripley as well as 2014 improvement projects. In addition to the military focus numerous programs exist with a variety of civilian partners that help maintain positive community relations. The Board expressed its support for Camp Ripley and thanked Deputy Post Commander Sackett for the update.

- 6A. ESD Director John Ringle summarized the Tuesday, May 6, 2014 Ad Hoc Committee of the Board (Commissioner's Gaalswyk and Kangas) meeting. The committee reviewed current and proposed practices for the County role in solid waste property cleanup programs. The committee recommended the following: 1.) related land use regulations – no ordinance changes at this time and expand ESD quarterly report to include a summary status of County initiated enforcement actions, 2.) abandoned building demolition – establish a budget of \$45,000 for reimbursement of dumpster costs and tipping fees for projects individually approved by the unit of government and authorized through the Board consent agenda, 3.) refuse removal – establish a budget of \$10,000 for refuse removal projects authorized by ESD staff with quarterly summary status reports to the Board (examples of assistance include providing dumpsters, contracted equipment, reduced tipping fees, sentence to service crew assistance), and 4.) public health nuisances – amend the policy process to include a pre-abatement decision committee to assure compliance with MS 145A.04. Director Ringle provided photographs of examples of potential cleanup sites. Mr. Ringle explained that cleanup efforts by ESD are only after all other voluntary methods have been exhausted and only for those parcels contributing to the Countywide solid waste assessment.

M/S/P Downham, Dowson - To approve the recommendations of the AdHoc Committee as presented utilizing solid waste assessment fees as the funding source. Unanimous.

- 6B. ESD Director John Ringle presented the annual 2014 mobile collection program schedule at six locations around Cass County: Walker - June 16th (Monday) 1-4 p.m. County Hwy garage parking lot South of Jimmy's Restaurant; Lake Shore - June 24th (Tuesday) 12-4 p.m. Lake Shore Town Hall; Longville - July 21st (Monday) 11-3 p.m. Slagle's Transfer site; Remer - August 15th (Friday) 10-12 p.m. Do it Best Hardware; Outing- August 15th (Friday) 1-3 p.m. Crooked Lake Town Hall; May Twp. - August 27th (Wednesday) 3-7 p.m. Transfer Site/County Garage (North of Pillager). Items accepted for no charge to county residents include: Household Hazardous Waste: Paint and paint related materials, household cleaners and chemicals, old gasoline and certain other automotive products, caustic materials, pesticides and aerosol cans; Fluorescent bulbs of all types; including compact fluorescents, all straight, round, u-shaped and other fluorescent and Hi-Intensity bulbs; E-waste: unwanted, outdated TV's, computers, monitors, printers and related computer equipment.

M/S/P Peterson, Gaalswyk – To receive & file the annual 2014 mobile collection program schedule and request a summary report upon conclusion of this year's program. Unanimous.

- 6C. Mr. Ringle requested referral of possible land use ordinance amendments to the Planning Commission for first reading at a public hearing before the Planning Commission on Monday, July 21, 2014. Mr. Ringle presented a memo that outlined language proposed by ESD and the Planning Commission. In addition Director Ringle said he would report back to the Board on any suggested amendments by the County Attorney on portions of the ordinance related to solid waste cleanup (discussed during item 6A.).

M/S/P Downham, Peterson - To refer possible land use ordinance amendments as presented to the Planning Commission for first reading at a public hearing before the Planning Commission on Monday, July 21, 2014 after providing public notices pursuant to Board rules of business. Unanimous.

- 6D. Director Ringle presented Section 11 of the Minnesota Session Laws Chapter 308 (Aquatic Invasive Species Prevention Aid) recently approved by the 2014 MN State Legislature. Mr. Ringle reported that Cass County is included in this law and will receive approximately \$225,000 in July of 2014 and an estimated \$500,000 in calendar year 2015 for the prevention of aquatic invasive species in Cass County lakes. The Board discussed possible methods of coordination with the SWCD's, area lakes associations, other counties, the MHB Board, and MN Association of Planning & Zoning Professionals. By consensus, the Board requested Mr. Ringle to report back on the Cass County SWCD's implementation recommendations.
- 7A. Highway Engineer David Enblom presented bids for energy upgrades and exterior improvements to the Walker Highway Shop located at 8045 CSAH 12. Mr. Enblom also submitted correspondence from consulting engineering firm Widseth, Smith, & Nolting that explained the scope of improvements and recommended award to Haataja Contracting Inc. The work is scheduled for completion by September 2014 and will be funded within the \$1,400,000 budget estimate in the adopted Capital Plan.

Bidder	Acknowledge Addendum#1	Acknowledge Addendum#2	Bid Bond	Bid Amount
Haataja Contracting Inc.	Yes	Yes	5%	\$425,800.00
J.P. Structures	Yes	Yes	5%	\$437,557.00
Hanson Const.	Yes	Yes	5%	\$489,000.00
Eagle Constr.Co.	Yes	Yes	5%	\$525,400.00
Master Lumber, Inc.	Yes	Yes	5%	\$566,500.00

M/S/P Dowson, Downham – To accept the apparent low bid of Haataja Contracting Inc. in the amount of \$425,800.00 for energy upgrades and exterior improvements to the Walker Highway Shop located at 8045 CSAH 12. Unanimous.

- 7B. Engineer Enblom requested Board action to add a maintenance overlay project on CSAH #25 (Otta Seal) in Bungo and Walden Townships to the 2014 construction program. This project would be combined with CSAH #1 and CSAH #49 projects already included in the 2014 construction program.

M/S/P Peterson, Kangas – To amend the 2014 construction program in the 5 year highway maintenance plan by the addition of a maintenance overlay on CSAH #25 (Otta Seal) in Bungo and Walden Townships. Unanimous.

- 7C. Highway Engineer David Enblom presented amendments requested by the City of Longville to a draft Joint Powers Agreement approved by the Board on Tuesday, May 6, 2014. Changes included that the City to Longville will occupy CSAH #7 right of way for utility purposes and both parties acknowledge reporting requirements to United States Department of Agriculture (USDA).

M/S/P Dowson, Downham – To authorize execution of the Joint Powers Agreement with the City of Longville as presented. Unanimous.

8. County Administrator Yochum confirmed the upcoming meeting schedule: AMC District 2 Meeting – Wednesday, June 4, 2014, beginning at 8:00 a.m., PrimeWest, 3124 Hannah Ave., Bemidji, MN.
9. Chairman Kangas adjourned the meeting at 7:35 p.m.

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

ATTEST: _____
 Robert H. Yochum
 Cass County Administrator