

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
August 19, 2014**

1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 6:00 p.m. on Tuesday, August 19, 2014, with the flag pledge at the Kego Township Hall, (Longville Fire Dept. Bldg.), 1350 County #5, Longville, 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
Dave Enblom	Highway Engineer	Laura Hadrava	Construction/Design Engineer
Tim Richardson	Central Services Director	John Ringle	ESD Director
Kevin Dahlman	Asst. Land Commissioner	Kevin Lee	North Ambulance
Rick Wagner	North Ambulance	Lindsey Ketchel	Leech Lake Watershed
John Sumption	Leech Lake Watershed	Steve Johnson	Townline Lake Association
Gail Levenson	Cass County EDC Executive Dir.	Bill Palmer	EDC Development Corp.
Erick Hoglund	Sheriff's Office	Bonny Carlson	MN Power representative
Susan Sundberg	Planning Commission	Roger Sundberg	Self
Fred Smith	Self	Gail DeBoer	Pilot Independent
Monica Lundquist	Brainerd Dispatch		

1B. M/S/P Downham, Peterson – To approve the agenda items for discussion as presented and the deletion of Item 2A.10 – 1 (Deletion of Support Enforcement Aide Molly Ratz resignation effective August 22, 2014), the addition of Item 10E. (Approve Resolution No. 40-14 final payment on Contract No. 2013-371 Phase 4 Pump House Bay Bridge - Shingobee Trail), move consent agenda Item 2A.25 to Item 10F.(Authorize CR#140 improvements from Unorganized fund not to exceed \$5,000.00). Unanimous.

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

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

Approve - Regular Board Minutes of August 5, 2014.

Approve - Auditor Manual Warrants dated July 2014 in the amount of \$3,425,226.01.

Approve - Auditor Warrants dated July 24, 2014 in the amount of \$841,297.42.

Approve - Auditor Warrants dated July 31, 2014 in the amount of \$114.36.

Approve - Auditor Warrants dated July 31, 2014 in the amount of \$413,397.72.

Approve - Auditor Warrants dated August 7, 2014 in the amount of \$354,159.70.

Receive & file - Monthly Budget Reports.

Approve - HHVS Auditor Warrants dated August 8, 2014 in the amount of \$102,504.68.

Approve - HHVS Commissioners Warrants dated August 8, 2014 in the amount of \$124,341.77.

Approve Personnel Items - A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Brittany Warren, Eligibility Worker, Grade 22, Step 1 to fill new position budgeted for 2014, effective date August 25, 2014. Brittany Warren has a relative (sister) working within the same Unit. Director has made a determination that there is not a direct relationship. B. Positions scheduled for no replacement at this time: None. C. Other. 1. Approve & file – Update to Accounting Technician's Position Description Questionnaire (PDQ). Upon review of the pre-employment requirements it was determined that this position could be better served by allowing increased flexibility in the education and experience areas. The cumulative value of the related experience is not seen as a substantial change; therefore it is not believed that a further review of this position by our external evaluator is necessary. (No point changes).

Receive & file - Notification from the City of Cass Lake of proposed establishment of TIF Dist.No.1-4 (medical clinic for Da Vita Healthcare).

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

Receive & file - Notice from PRASD MN Public Facilities Authority Loan Repayment in the amount of \$41,668.38.

Receive & file - Timber auction results of July 31, 2014 totaling 11,686.00 cords plus 238.90 mbf saw timber totaling \$340,373.95.

Receive & file - Cities of Cass Lake, Hackensack, Pillager, Pine River, & Walker - Annual Disclosure of Tax Increments year ending Dec. 31, 2013.

Receive & file - 2014 MCIT dividend payment in the amount of \$199,446.00.

Approve Assessor's Office Abatements: Tax Year 2012 Jeffrey Parker, 30-348-0140 Pine Lake, Clerical Error, Remove Harbor Slip (Current \$2,250, proposed \$2,118) Tax \$ change (\$132.00); Tax Year 2013 Jeffrey Parker, 30-348-0140 Pine Lake, Clerical Error, Remove Harbor Slip (Current \$3,072 proposed \$2,934) Tax \$ change (\$138.00); Tax Year 2014 Jeffrey Parker, 30-348-0140 Pine Lake, Clerical Error, Remove Harbor Slip (Current \$3,126 proposed \$2,984) Tax \$ change (\$142.00).

Receive & file – Assessors 2nd Quarter 2014 Foreclosure Report and 2nd Quarter 2014 Sales Activity Report.

Receive & file - 2014 State Board of Equalization report approving Assessors Office valuation data.

Authorize - 2nd quarter Longville Ambulance Subordinate Service District payment in the amount of \$102,750.00.

<u>Bidder</u>	<u>Basement Fill</u>	<u>Culvert Installation</u>
Schrupp Excavating	\$2,634.00	\$6,200.00
North Fork Excavators	\$2,800.00	\$6,800.00
Hengel Construction	\$5,400.00	\$8,550.00
Rodney Enberg	\$6,100.00	\$6,474.00

M/S/P Dowson, Peterson – To award basement fill project to Schrupp Excavating not to exceed \$2,634.00 and culvert installation project to Schrupp Excavating not to exceed \$6,200.00. Unanimous.

Approve - 2014 FSC/SmartWood audit agreement as presented in the amount of \$7,581.00.

Approve - Issuance of check to Nancy J. Johnson in the stated amount of \$389.00 previously cancelled by Board action of Sept. 20, 2011.

Approve - Request from Loren Loch to transfer timber permit #112073 to Dukek Logging, Inc.

Approve - Voting procedure related to Social Security coverage for the PERA correctional plan by majority vote.

Receive & file – June/July 2014 Cass County EDC Activity Report.

Receive & file - Final draft of Solid Waste Management Plan for public comment.

- 3A. Minnesota Power Renewable Business Operations Manager Bonny Carlson explained that MN Power operates 11 renewable energy hydro facilities two of which are in Sylvan Township and the City of Pillager. The Pillager hydroelectric facility is located in southern Cass County on the Crow Wing River which was placed into service in 1917, it has two generating units with a capacity of 1.5 MW. The Sylvan hydroelectric facility is located on the Crow Wing River (just downstream from the Pillager facility) where the Gull River flows into the Crow Wing River, it has three generating units with a capacity of 1.8 MW. Ms. Carlson presented the Board with a copper-based medallion to commemorate the commitment to renewable resources. The Board thanked Ms. Carlson and MN Power Company for the recognition and the medallion. No action necessary.
- 4A. Kevin Lee of North Memorial Ambulance (Brainerd Region) and Rick Wagner of North Ambulance presented the second quarter 2014 report for the Longville Ambulance Subordinate Service District (LASSD). Mr. Lee informed the Board that the LASSD was staffed with Paramedics every day (exceeds the part time advanced life support license requirement). Mr. Lee reported that LASSD transported or billed year to date 119 patients' vs. the budget number of 107 patients (111 patients were billed for the same time period in 2013). Revenues were \$8,519 over budget due to increased volumes and decreased revenue deductions. Revenue deductions were 62.50% vs. the budgeted amount of 63.9% and expenses were \$9,398 below budget (net margin of 27.6%). Community involvement included participation in quarterly Cass County EMS Task Force meetings, attendance at monthly Cass County radio users meetings, coverage was provided for the Run Around Woman Lake, and a presentation to the Cass County CERT Team. North Memorial Ambulance and the Cass County EMS Task Force are co-sponsoring EMS Conferences in Pillager and Walker in September. Overall patient satisfaction score for the 2nd quarter was 95.6%, and the national average is 92.69%.

M/S/P Peterson, Gaalswyk – To receive & file the 2nd quarter report from the Longville Ambulance Subordinate Service District (LASSD). Unanimous.

5. Leech Lake Area Watershed Foundation (LLAWF) Executive Director Lindsey Ketchel introduced herself and discussed the status of LLAWF initiatives including legislative approval of a \$2.13 million grant from State Legacy funds focused on protecting sensitive shoreland. Ms. Ketchel added that the funds will assist in purchasing approximately 105 acres and about 1 mile of pristine shoreland in Woods Bay on Roosevelt Lake in Cass and Crow Wing Counties. In addition LLAWF has identified priority conservation easements sites on 38 lakes 10 of which are located in Cass County. The Board welcomed Ms. Ketchel and thanked her for the update. No action necessary.
- 6A. Cass County EDC Executive Director Gail Levenson introduced EDC Board President Bill Palmer. Ms. Levenson discussed the State of MN (Department of Employment and Economic Development) Cass County labor market profile which includes demographic statistics and trends. Mr. Palmer discussed the EDC priorities and thanked the Board for their continuing support. No action necessary.
- 7A. Assistant Land Commissioner Kevin Dahlman reported that Cass County has received confirmation that the Omnibus Legacy Bill has been signed into law (Chapter 256 - 2014 legislative session), and appropriations are available July 1, 2014. This law provides Cass County funds to acquire key forest habitat with funds generated by a 3/8% State sales and use tax. Properties purchased with the referenced funds will be open to the public for hunting, fishing, and taking of game. Mr. Dahlman added that year to date the Land Department has sold 397 acres and have bought 420 acres of public land. Upon Board approval the Land Department will begin communication with Townships regarding potential acquisitions after August 2014. Numerous private property owners have expressed an interest in selling their private property to the public. Mr. Dahlman presented Resolution No. 38-14.

Commissioner Downham offered Resolution No. 38-14 and moved its adoption, and Commissioner Dowson seconded:

Lessard-Sams Outdoor Heritage Fund Grantee Resolution

BE IT RESOLVED that Cass County act as legal sponsor for the project contained in MN Laws 2014, Chapter 256, Article 1, Section 2, Subdivision 3(d) Protect Key Forest Habitat Lands in Cass County-Phase V.

BE IT FURTHER RESOLVED that Cass County has the financial capability to ensure adequate completion of the project and certifies that it will comply with all applicable laws and regulations as stated in the grant agreement.

NOW, THEREFORE BE IT RESOLVED that Joshua Stevenson, Cass County Land Commissioner, is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the recipient.

Resolution No. 38-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

8. Chairman Kangas opened a public hearing at 6:50 p.m. ESD Director John Ringle reported that in accordance with adopted Board rules of procedure for land use related ordinance amendments the Cass County Planning Commission conducted first reading of proposed amendments to Land Use Ordinance #2005-01 and Subdivision Ordinance #2009-02 on July 21, 2014. Director Ringle stated that the Cass County Planning Commission approved the referenced amendments and recommends final adoption of Ordinance #2014-02 and Ordinance #2014-03 after 2nd reading by the Board of Commissioners. Chair of the Cass County Planning Commission Susan Sundberg explained the ordinance amendments: 1). Permitting additions to non-conforming structures when the addition meets all setbacks, 2). Allowing small animals on riparian parcels with controls, 3). Prohibiting the use of mechanized equipment for vegetation removal in bluff impact zones and steep slopes except as authorized by ESD, 4) Allowing a platted lot to be split into two parcels without going through the platting process, and 5). Change the term "Planning Advisory Commission" and "Planning Advisory Commission/Board of Adjustment" to "Planning Commission" in all instances in the Cass County Land Use Ordinance and Cass County Subdivision Ordinance. The Board thanked the Planning Commission and its Board Chair for their recommendations and ongoing work.

M/S/P Downham, Gaalswyk – To adopt on 2nd and final reading Ordinance No. 2014-02 amending Cass County Land Use Ordinance #2005-01 and Ordinance #2014-03 amending Subdivision Ordinance #2009-02 as presented effective September 22, 2014 after publication and filing as provided by law. Unanimous.

- 9A. Central Services Director Tim Richardson reported back from the June 17, 2014 Board meeting at Homebrook Township regarding plat book publication alternatives now that the 4H federation has declined to update the 2012 print version. Mr. Richardson discussed options including: to continue creating and marketing plat books with Mapping Solutions, to create and publish an in-house plat book, or to incorporate plat style information in the current mapping application on the Cass County website. Director Richardson recommended that we not produce a plat book at this time, that we monitor demand and that we look at upgrades to our existing web mapping prior to updating the 2012 print version.

M/S/P Dowson, Downham - To approve the recommendations of Central Services Director Tim Richardson as presented and request a status report in the spring of 2015. Unanimous.

- 9B. Mr. Richardson presented recent correspondence from Fairview Township requesting Cass County to provide a letter of support for broadband expansion grant applications by Consolidated Telephone Company along the County Road #77 corridor. Mr. Richardson explained that broadband refers to internet connections that can transfer data and information at high speeds. Broadband service in MN is delivered through the fiber and coaxial networks of cable providers; DSL service over the telephone network; optical fiber to the home or business; mobile and fixed wireless systems; and satellite connections.

M/S/P Gaalswyk, Kangas - To authorize the Board Chair to provide a letter of support for broadband expansion grant applications including Consolidated Telephone Company. Unanimous.

- 10A. Highway Engineer Dave Enblom summarized the existing Highway Department's fee schedule and requested the inclusion of used snow plow cutting edges at \$1.80 per foot (buyers purchase at the various Highway Shop facilities – no County transport).

M/S/P Peterson, Downham – To approve the existing Highway Department's fee schedule and the addition of used snow plow cutting edges at \$1.80 per foot. Unanimous.

- 10B. Mr. Enblom discussed entering into Agreement No. 06454 with Mn/DOT and Florin Cultural Resource Services to perform Federal required archaeological surveys for the CSAH #77 City of Lakeshore project. Project cost (not to exceed \$96,964.) will be split 80% Mn/DOT and 20% local with Cass County's costs are State Aid eligible. Mr. Enblom presented Resolution No. 39-14.

Commissioner Gaalswyk offered Resolution No. 39-14 and moved its adoption, and Commissioner Peterson seconded:

IT IS RESOLVED, that Cass County enter into Mn/DOT Agreement No. 06454 with the State of Minnesota Department of Transportation and Florin Cultural Resource Services, LLC for the following purposes:

To conduct a Phase I archeological survey and Phase II evaluation of any identified sites that are potentially eligible for listing on the National Register of Historic Places within the County State Aid Highway 77 (SP 011-677-013) project corridor. IT IS FURTHER RESOLVED, David Enblom County Highway Engineer is authorized to execute the Agreement and any amendments to the Agreement

Resolution No. 39-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 10C. County Engineer Enblom requested authorization to install stop signs on CSAH #1 at its junction with CSAH #44 east of Pine River, MN. Mr. Enblom discussed the accident history, the safety enhancements to date, and the average daily traffic count of approximately 1,000 vehicles (similar on each leg of the intersection).

M/S/P Dowson, Peterson – To approve the installation of stop signs on CSAH #1 at its junction with CSAH #44 east (creating a 4 way stop intersection), and the installation of rumble strips on all 4 legs of the same. Unanimous.

- 10D. Construction/Design Engineer Laura Hadrava discussed the road pavement condition rating from Mn/DOT on the Cass County State Aid Highway system (County roads with a number less than 100). Ms. Hadrava compared system conditions from 2009 (poor/very poor 22.8%, fair 25.7%, good/excellent 51.5%) with system conditions in 2013 (poor/very poor 27.1%, fair 19.5%, good/excellent 53.4%). Engineer Hadrava projected system conditions in 2017 at current funding levels and existing five year plan (poor/very poor 26.5%, fair 20.1%, good/excellent 53.4%).

County Engineer Enblom noted the need to continue local property tax support of approximately \$1.1 million absent any changes in Federal or State user fees. The Board thanked the staff for the report – no action needed.

10E. Mr. Enblom informed the Board that Contract No. 2013-371 (CP 011-2013(371) Phase 4 Pump House Bay Bridge - Shingobee Trail has been completed. Mr. Enblom presented Resolution No. 40-14.

Commissioner Downham offered Resolution No. 40-14 and moved its adoption, and Commissioner Dowson seconded:

WHEREAS: Contract No. 2013-371 (CP 011-2013(371) has in all things been completed, and the County Board being fully advised in the premises,

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and in behalf of the County of Cass and authorize final payment of \$15, 700.00 and a final total payment of \$532,267.05.

Resolution No. 40-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

10F. Mr. Enblom discussed his meeting on Friday, August 8, 2014 with property owner Doug Carpenter regarding CR#140 in the Unorganized Township. County Engineer Enblom reported he issued a driveway access permit to Mr. Carpenter and recommends road improvements (not to exceed \$5,000) that would benefit multiple users in area.

M/S/P Downham, Kangas – To authorize CR#140 improvements from the Unorganized Township fund not to exceed \$5,000.00 and add minimum maintenance road designation to the 450 feet of road lying northerly of Grace Lane NE. Unanimous.

11. County Administrator Yochum confirmed the upcoming meeting schedule.

12. Chairman Kangas adjourned the meeting at 7:25 p.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator