

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
September 2, 2014**

- 1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, September 2, 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
Dave Enblom	Highway Engineer	Sharon Anderson	Auditor-Treasurer
Josh Stevenson	Land Commissioner	Mark Peterson	County Assessor
Christopher Strandlie	County Attorney	Doug Schultz	MNDNR
Grant Goltz	Private Citizen	Tom Krawczynski	Private Citizen
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch
Allan Olson	Cass Lake Times		

- 1B. M/S/P Downham, Peterson – To approve the agenda items for discussion as presented after amending Item 2A.10 (Accept – Donations of \$25,000 and designate \$18,004 of Federal Boating Supplement grant to purchase a new Sheriff's Office dive team boat in the amount of \$43,000.00), Item 2A.17 (Accept - FY2015 MN Dept. of Public Safety grant in the amount of \$106,700 to support the Cass County/Leech Lake Wellness Court - Cass County Probation Office), and Item 7C. (Approve - Attendance to Cass County Association of Townships Fall Conference on Oct. 4, 2014, beginning at 8:00 a.m., Bear Pause Theatre, Hackensack, MN). 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 as amended. Unanimous.

Approve - Board Minutes of August 19, 2014.

Approve - Auditor warrants dated August 12, 2014 in the amount of \$292,627.33.

Approve - Auditor warrants dated August 21, 2014 in the amount of \$1,160,187.22.

Approve - HHVS Commissioner warrants dated August 22, 2014 in the amount of \$224,451.38.

Approve - HHVS Auditor warrants dated August 22, 2014 in the amount of \$71,474.21.

Approve Personnel Items – A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Barb Hiniker, Accounting Technician, Grade 19, Step 4 to fill position vacated by Naomi Vredenburg effective August 30, 2014. 2. Receive & file - Notice of appointment of Emily Senta, Community Health Specialist, Grade 21, Step 1 to fill position vacated by Danielle Treitbar effective September 2, 2014. B. Positions scheduled for no replacement at this time: None. C. Other. 1. Approve extended leave for Correctional Officer Jolene Hemp - additional 30 days until September 30, 2014.

Establish - Special meetings for the Cass County Department Head performance evaluations on Tuesday, October 7, 2014 following the regular board meeting at 11:00 a.m., Commissioners Board Room, Courthouse Annex, Walker, MN, and Tuesday, October 21, 2014 following the regular board meeting 11:00 a.m. Land Department Meeting Room, Backus, MN.

Authorize - Payment to Haataja Contracting, Inc. in the amount of \$218,807.90 to remodel the Walker Highway Shop; Widseth Smith Nolting - \$2,227.50 (Inv. #98177), source of funds Capital Fund – Garages & Capital Outlay Bldgs.

Approve - Cancelling outstanding checks on September 2, 2014 as presented in the amount of \$1,500.80 and reinstatement of check #412243 to Formost Insurance in the amount of \$203.25 for the purpose of voiding and crediting back to HHVS.

Accept – Donations of \$25,000 and designate \$18,004 of Federal Boating Supplement grant to purchase a new Sheriff's Office dive team boat in the amount of \$43,000.00.

Receive & file - 2013 Annual disclosure statement from the Cass County HRA - Tax Increment Financing 6-1.

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

Authorize - Acceptance of the Crime Victim Services Grant Agreement (A-CVS-2015-CASSAO-00109) in the amount of \$43,000 beginning Oct. 1, 2014 through Sept. 30, 2015.

Receive & file - Timber auction results of August 28, 2014 totaling 3,943.00 cords plus 10.50 mbf saw timber totaling \$102,596.00.

Receive & file - Project update on proposed Enbridge Energy limited partnership line 67 expansion project.

Authorize - HHVS Public Health Division as local Public Health Department to apply for NACCHO and CDC Accreditation support initiative RFP up to \$15,000.00.

Accept - FY2015 MN Dept. of Public Safety grant in the amount of \$106,700.00 to support the Cass County/Leech Lake Wellness Court -Cass County Probation Office.

Receive & file - SWCD-NRAC decision not to move planned 2015 summer aspen sales to a 2014 fall auction as requested from MN Forest Industries.

Receive & file - Stagecoach Road (near Widow Lake in Woodrow Township) recommendation from the State Board Minnesota to the National Register of Historic Places.

Accept - Execution of 2014 Emergency Management Performance Grant (EMPG) (PO#3000028771) (CFDA: 97.042) in the amount of \$30,171.00 with budgeted local match of the same.

Receive & file - August 15, 2014 meeting notes regarding on septage disposal.

Approve - Assessor's Office abatements - Tax Year 2012 M & M Inn, 51-815-3109 Woodrow, clerical error, move to real estate parcel (current \$478.00 proposed \$0) tax \$ change (478.00); Tax Year 2013 M & M Inn, 51-815-3109 Woodrow, clerical error, move to real estate parcel (current \$504.00 proposed \$0) tax \$ change (504.00); Tax Year 2014 M & M Inn, 51-815-3109 Woodrow, clerical error, move to real estate parcel (current \$402.00, proposed \$0) tax \$ Change(402.00); Omitted value added to real estate #51-015-3109 for payable 2012, 2013, 2014 equal the same dollars as abatements above.

- 2B. Administrator Yochum presented meeting notes and executive summary exhibits from the August 22, 2014 Citizen Budget Committee. County Assessor Mark Peterson discussed tax capacity trends and reported \$43,978,600 in new construction valuation for 2015 (\$2,760,700 of which is commercial ~6.2%). Chief Financial Officer Larry Wolfe explained existing and preliminary county property tax rate alternatives considered by the committee. Mr. Yochum reported that the committee has a unanimous recommendation for the 2015 Cass County preliminary property tax levies, however, final 2015 budget recommendations will be filed with the Board prior to the budget public hearing.

Commissioner Gaalswyk moved to accept the Citizen Budget Committee preliminary property tax levy recommendation by the adoption of Resolution No. 41-14, and Commissioner Peterson seconded:

WHEREAS, M.S. 275.065 requires the County Board to adopt a proposed property tax levy prior to September 30, 2014, and

WHEREAS Cass County must include in its tax levy the amount necessary to operate the Longville Ambulance Subordinate Service District (LASSD) established under M.S. 375B,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners do hereby approve the following preliminary property tax levies for 2015 in the stated amounts:

	<u>Preliminary 2015</u>	<u>Final 2014</u>	<u>Difference</u>
Net County Levy	\$19,721,969	\$19,585,613	136,356
LASSD Levy	<u>461,000</u>	<u>461,000</u>	<u>0</u>
Preliminary Net Certified Levy	<u>\$20,182,969</u>	<u>\$20,046,613</u>	<u>136,356</u>
Estimated Preliminary County Rate	30.600%	31.005%	-1.31%
Estimated Preliminary Rate within LASSD	34.631%	35.036%	-1.16%

BE IT FURTHER RESOLVED that a public hearing on the adoption of Cass County's tax levy for 2015 will be held December 2, 2014, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Resolution No. 41-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

Commissioner Gaalswyk moved to accept the Citizen Budget Committee preliminary property tax levy recommendation by the adoption of Resolution No. 42-14, and Commissioner Peterson seconded:

WHEREAS, the Cass County Board of Commissioners acts as township authority for unorganized areas of Cass County, and

WHEREAS, the Cass County Board has considered revenue projections, levy data, and budget needs of the unorganized areas of Cass County for 2015,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners do hereby approve the following preliminary property tax levies for 2015 for Cass County unorganized townships:

	Preliminary <u>2015</u>	Final <u>2014</u>
UNORGANIZED NET LEVY	\$245,000	\$245,000

BE IT FURTHER RESOLVED that a public hearing on the adoption of Cass County's tax levy for 2015 will be held December 2, 2014, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Resolution No. 42-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 3A. Doug Schultz (Area Fisheries Supervisor MN DNR) explained that in 2011 representatives from the Leech Lake Area Watershed Foundation contacted property owners on Miller's Bay, Leech Lake, regarding potential sale to the State for the sole purpose of protecting critical aquatic habitat on Leech Lake (one of seven known muskellunge spawning sites). Mr. Schultz added that this bay was identified in DNR's 2011-2015 Leech Lake Management Plan as a habitat protection priority. This 4.3 acre parcel with 1,050 feet of shoreline in Pine Lake Township is the last parcel in this project plan (the Pine Lake Township Board has previously expressed verbal support for the proposed acquisitions). The parcel will be designated as a general use AMA, meaning all activities other than motorized traffic will be allowed, and is consistent with the uses of adjacent public lands. Funding for this parcel will include funds from Reinvest in Minnesota (RIM), and the use of RIM funds to purchase property by the State requires County approval. CFO Wolfe commented that present tax capacity generates approximately \$644 per year in local property tax compared to current PILT rates for the same of approximately \$1,017 per year.

Commissioner Downham offered Resolution No. 43-14 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 September 2, 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: That part of Government Lot 1, Section 6, Twp. 141, Rge 29, lying east of the centerline of the road and lying north of the south 190.00 feet thereof, Cass Co.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Cass County on September 2, 2014 that the State's proposed acquisition of the described property be approved.

Resolution No. 43-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 4A. Auditor-Treasurer Sharon Anderson discussed Cass County election history including August 12, 2014 primary election results (10.37 % turnout rate in MN), previous participation rates in Minnesota primaries, mail ballot precinct trends (39 precincts are voting by mail in 2014), and the reimbursement of \$5,600.00 from the Leech Lake Band of Ojibwe for a new satellite location for voter registration and in person absentee balloting at their government center in Cass Lake.

M/S/P Downham, Peterson – To accept the Leech Lake Band of Ojibwe reimbursement of the estimated cost of \$5,600.00 to establish a new satellite voting registration and in person absentee balloting site at the Cass Lake Tribal Headquarters for the 2014 state and federal general elections. Unanimous.

- 5A. Land Commissioner Josh Stevenson reported he has received a request from industry to provide an update to the current timber harvest plan. Mr. Stevenson presented the 10 year plan last updated with the assistance of ProWest and Associates, and discussed annual adjustments by the Land Department to better match the available resource. No action necessary.
- 6A. County Highway Engineer Dave Enblom presented a Memorandum of Understanding with the Leech Lake Band of Ojibwe to facilitate the Band's multi-use trail construction along TH#2 in Bena, MN. The project is to be funded with Federal Scenic Byway and MnDOT dollars and Cass County has been asked to act as the Leech Lake Band of Ojibwe's fiscal agent in the MnDOT contracting process.

M/S/P Downham, Dowson – To approve the MOU with the Leech Lake Band of Ojibwe to facilitate the Band's multi use trail construction along TH#2 in Bena, MN and further, to act as fiscal agent for the Leech Lake Band of Ojibwe to receiving the Federal and State dollars designated for the project. Unanimous.

- 6B. Mr. Enblom reported back to the Board regarding previously tabled action related to possible courthouse parking lot improvements. County Engineer Enblom indicated that up to an additional 20 parking spaces may be achieved by paving and marking the existing gravel lot south of the courthouse complex. If the potential project is to proceed Mr. Enblom recommended feasibility engineering work using a combination of Highway Department staff, and specialized services from Bolton and Menk not to exceed \$5,000.00.

M/S/P Dowson, Gaalswyk – To proceed with professional services not to exceed \$5,000.00 with Bolton and Menk to assist the Highway Department in preparation of a feasibility report for Board consideration of parking lot improvements adjacent to the courthouse (on Michigan Avenue) including alternatives to expand visitor parking. Unanimous.

- 6C. Mr. Enblom presented a cooperative construction agreement with MnDOT to access the County right of way or property for the purpose of installing Mississippi River Trail bicycling signs along County roads and the County to maintain these signs upon completion.

Commissioner Dowson offered Resolution No. 44-14 and moved its adoption, Commissioner Downham seconded:

IT IS RESOLVED, that Cass County enter into Mn/DOT Agreement No. 06571 with the State of Minnesota Department of Transportation for the following purposes:

To provide for the State to enter upon County Right of Way to install Mississippi River Trail signing along the designated Mississippi River Trail route on County roadways and for the County to provide for proper maintenance of the route signing. Such work will be conducted under State Project No. 8823-293, on various Trunk Highway routes.

IT IS FURTHER RESOLVED, that David Enblom, County Highway Engineer and Robert Yochum, County Administrator, are authorized to execute the Agreement and any amendments to the Agreement

Resolution No. 44-14 was adopted by majority vote: Ayes: Downham, Dowson, Gaalswyk, Kangas, Peterson. Nays: None.

- 6D. Mr. Enblom requested reimbursement to the Highway Department of Shingobee Connection Trail Project Phase V costs in the amount of \$50,032.28 and CSAH 75 (Casino Road) trail costs in the amount of \$190,560.55. Mr. Enblom also requested the Conservation Fund #73 budget control report reflect: tabling the SWCD & Land Department US Geological Survey request of \$10,000.00, closing the Over the Hills & Woodtick Wheelers preliminary design project, closing the Leech Lake Band CR 75 (Casino Road) trail project, and closing the Shingobee Connection Trail project.

M/S/P Gaalswyk, Dowson – To approve reimbursement to the Highway Department of Shingobee Connection Trail Project Phase V costs in the amount of \$50,032.28 and CSAH 75 (Casino Road) trail costs in the amount of \$190,560.55, and further, to approve the Conservation Fund #73 budget control changes as presented. Unanimous.

6E. Engineer Enblom requested that the County relinquish its interest in an access easement acquired by Cass County in 1958 (Rec. #159428, shown in Book 3 of Miscellaneous, Page 271) as part of a CSAH #11 reconstruction project in Woodrow Township. The access served by this easement (Bungey Bay Lane - a private road) has recently been satisfied by the construction of a new road (Engineers report dated August 22, 2014). The associated survey and easement have been recorded (Rec. #A000604462) by the underlying landowners. County Attorney Strandlie provided background regarding related litigation.

M/S/P Peterson, Kangas – To accept the County Engineer Bungey Bay Lane report findings and relinquish the County interest in an access easement acquired by Cass County in 1958 (Rec. #159428, shown in Book 3 of Miscellaneous, Page 271) as part of a CSAH #11 reconstruction project in Woodrow Township. Unanimous.

7. County Administrator Yochum confirmed the upcoming meeting schedule:

M/S/P Downham, Peterson – To approve 911 observances on Thursday, September 11, 2014, beginning at 9:00 a.m., Veterans Podium, Courthouse Lawn, Walker, MN. Unanimous.

M/S/P Downham, Peterson – To approve the County Board Meeting in Commissioner District #5, Tuesday, September 16, 2014 beginning at 6:00 pm at the Otter Tail Peninsula Township Hall, 12325 W. Shores Road NW, Cass Lake, MN. Unanimous.

M/S/P Downham, Peterson – To approve attendance at the Cass County Association of Townships Fall Conference on Oct. 2, 2014, beginning at 8:00 a.m., Bear Pause Theatre, Hackensack, MN. Unanimous.

M/S/P Downham, Peterson – To approve moving the Tuesday, November 4, 2014 regular Commissioners Board Meeting, beginning at 9:00 a.m., Commissioners Board Room, Crtsse, Walker, MN to the Backus Land Department, 218 Washburn Avenue East, Backus, MN. Unanimous.

8. Chairman Kangas adjourned the meeting at 10:35 a.m. Unanimous.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator