

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
October 21, 2014**

- 1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, October 21, 2014, with the flag pledge, in the Public Meeting Room of the Land Department Building, 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	Dave Enblom	Highway Engineer
John Ringle	ESD Director	Eric Stommes	Initiative Foundation
Reno Wells	HHVS Director	Jamie Richter	Director of Public Health Nursing
Laura Hadrava	Construction Design Eng.	Travis Kelly	JenTra Tools
Jim Ballenthin	Cass SWCD	Don Hoppe	Lake County Nordic Ski Club
Scotts Bruns	Self	Joan Downham	Self
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Gaalswyk, Peterson – To approve the agenda items for discussion as presented after the addition of Item 7B. (MN Extension Service - Leech Lake River Watershed Education Meeting, Tuesday, October 28, 2014, beginning at 5:00 p.m., Northern Lights Casino, Walker, MN). Unanimous.

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

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

Approve - Board Minutes of October 7, 2014.

Approve - Auditor manual warrants dated September, 2014 in the amount of \$582,536.71.

Approve - Auditor warrants dated October 2, 2014 in the amount of \$132,504.55.

Approve - Auditor warrants dated October 21, 2014 in the amount of \$478,017.94.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated October 2, 2014 in the amount of \$3,873.14.

Approve - HHVS Commissioner warrants dated October 9, 2014 in the amount of \$31,216.70.

Approve - HHVS Commissioner warrants dated October 10, 2014 in the amount of \$154,378.49.

Approve - HHVS Auditor warrants dated October 10, 2014 in the amount of \$121,363.11.

Approve personnel items – A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Carrie Peterson, Accounting Technician, grade 19 step 1, effective October 27, 2014, position vacated by Trent Wasen. 2. Receive & file - Notice of resignation of Mike Edminster, County Agency Worker, grade 30 step 3, effective October 23, 2014, and Receive & file - Notice of intent to fill budgeted County Agency Worker position vacated by Mike Edminster, grade 30. B. Positions scheduled for no replacement at this time: None. C. Other. None.

Approve licenses – On & Off Sale 3.2 Beer - Starck's Tamarack Lodge - Jeffrey Starck, Unorganized; Anderson's Cove - Chris Anderson, Leech Lake; Long Pine Store - Cynthia Bussian, Ponto Lake. Off Sale 3.2 Beer - Orton's Y-Mart - Tim Orton, Shingobee.

Authorize - 25% Fund for environmental education at Deep Portage – \$550.00 Immanuel Lutheran School on Oct.1-2, 2014.

M/S/P Dowson, Downham – To accept the quote for taconite tailing delivery applied on Thunder Lake Trail in Sections 21-140-26 (Thunder Lake Twp.) contract to Holmvig Excavating at \$17.00/yard. Unanimous.

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

Approve - Capital project payments: Haataja Contracting Inc. – Walker Highway Shop upgrades in the amount of \$29,491.76; Beaver Tree Service – Tree removal on courthouse lawn in the amount of \$1,880.00.

Report - Department head performance evaluations of Tuesday, October 7, 2014 concluded that Auditor-Treasurer Sharon Anderson, Central Services Director Tim Richardson, ESD Director John Ringle, County Assessor Mark Peterson, and HHVS Director Reno Wells achieve the requirements of their positions.

Approve - Cass County SWCD Invoice #8 to provide professional services for Aquatic Invasive Species (AIS) prevention - \$33,555.22.

Approve - MN Counties Intergovernmental Trust (MCIT) Sharon K. Anderson voting delegate & Commissioner Bob Kangas as alternate.

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

Accept - Donations for Veterans Transportation Program: Walker Post 134 American Legion Riders, Walker- \$500.00; American Legion Auxiliary Unit 202 Hackensack - \$200.00.

Receive & file - Agreements between Cass County HHVS and Group Residential Housing Ownership from July 1, 2014 – June 30, 2016.

Approve - Cass County HHVS grant application submission for March of Dimes in the amount of \$25,000.00.

Approve - Agreement between Cass County and the State of Minnesota for re-negotiating 911 contract between telephone providers.

Receive & file - Quarterly litigation report.

- 2B. Administrator Yochum presented meeting notes of a Personnel Committee of the Board (Dowson, Downham) meeting dated Wednesday, October 8, 2014. Items discussed were: HHVS AFSCME unit hours of work – Mary Gilmer flex schedule grievance step 3, HHVS AFSCME Child Support and Accounting Unit lunch schedule grievance step 3, labor contract renewal status, Board policy on extending cafeteria plan county contribution for personnel on unpaid leave, use of recruitment consultants, personnel policy amendments, and upcoming department head reviews.

M/S/P Dowson, Downham – To approve the Personnel Committee of the Board recommendation to deny the step 3 grievance of the HHVS AFSCME unit regarding hours of work (Mary Gilmore flex schedule). Unanimous.

M/S/P Gaalswyk, Dowson – To approve the Personnel Committee of the Board recommendation to deny the step 3 grievance of the HHVS AFSCME unit regarding if an employee must work during the prescribed lunch break (Child Support and Accounting lunch breaks). Unanimous.

- 3A. HHVS Director Reno Wells and Director of Public Health Nursing Jamie Richter presented an update regarding the Ebola virus. Current information indicates that the virus is not spread through air, water, or by food. The virus is spread through direct contact through broken skin, mucous membranes, body fluids of a person with the virus. Ms. Richter added that according to the Federal CDC there is no significant risk to the United States this time. Ms. Richter recommended people who have concerns should search the Centers for Disease Control website, because it is updated daily. No action necessary.
- 3B. Ms. Richter presented the Community Health Improvement Plan that had been approved by the HHVS Advisory Committee on September 22, 2014. Ms. Richter explained the plan development process. Ten community health issues were identified by stakeholders after public meeting discussions. Three community health issues were subsequently selected as priorities: #1 Tobacco use and exposure, #2 Overweight/obesity, and #3 Healthy parenting. The plan then committed to strategies, tactics, performance measures, and timetables for each of the priorities. Periodic reports will be provided to the Board and the public.

M/S/P Downham, Peterson – To approve the implementation of the Cass County Health Improvement Plan dated September 22, 2014. Unanimous.

- 4A. Land Commissioner Josh Stevenson and Don Hoppe President of the Lake Country Nordic Ski Club discussed the donation from the club in the amount of \$12,200.00 for the purpose of purchasing an additional snowmobile to be used for grooming cross country ski trails. This would enable the club to keep one snowmobile/groomer at Backus to use on trails in the Backus-Hackensack area and to keep the new snowmobile/groomer in the Emily area to groom the trail there. The club would like to add this equipment to the present “no-fee” lease agreement and extend the agreement another five (5) years. Mr. Hoppe explained the benefits of the snowmobile/groomer to the club and reported the status of the insurance provided by the club.

M/S/P Dowson, Gaalswyk – To accept the donation of \$12,200.00 from the Lake Country Nordic Ski Club to purchase an Artic-Cat GC snowmobile from Brothers Motor Sports in Baxter, MN, and further, to enter into a “no-fee” cross country ski trail grooming equipment lease with the Lake Country Nordic Ski Club beginning October 21, 2014 and ending April 1, 2020. Unanimous.

- 4B. Mr. Stevenson discussed receipt of quotes for snowmobile trail repairs on the Soo Line Trail and Snowway One. Mr. Stevenson added that due to the amount of time it would take to secure funding from the Federal Recreation Trail Grant and the current need, we recommend using fund balance from 71-645 (Recreation) to complete the Soo Line Repair and completing the FRTG application process for Snowway One. Without immediate attention, the Soo Line Trail will be closed all winter, although the work on Snowway is needed it will not prevent the trail from being open this winter.

Bidder	Project #1	Project #2
T&C Excavating	\$11,500.00 \$50.00 CUYD	\$45,600.00 \$17.00 CUYD
Storlie Const.	\$22,200.00 \$60.00 CUYD	\$98,600.00 \$16.00 CUYD
Sawyer Enterprises	No Bid	\$37,990.00 \$15.00 CUYD
NorthFork Boulders	No Bid	\$39,900.00 \$20.00 CUYD

M/S/P Downham, Dowson – To award Project #1 to T&C Excavating not to exceed \$11,500.00 with additional rock at \$50.00 CUYD as authorized to be paid from recreation fund balance, and further to award Project #2 to Sawyer Enterprises not to exceed \$37,990.00 with additional Class 5 at \$15.00 CUYD as authorized pending receipt of a Federal Recreation Trail Grant. Unanimous.

- 5A. Vice-President for External Relations of the Initiative Foundation Eric Stommes presented an update from the Initiative Foundation. Mr. Stommes explained the regional impact of the Initiative Foundation and specific activity in Cass County including \$2.0M through 329 grants to nonprofits, and \$1.8M through 45 business loans which in turn represent \$13.0M of private leverage and 361 quality jobs. The return on investment shows \$5.20 returned to the region for every \$1.00 of local support raised (all endowment contributions are matched by the McKnight Foundation). Mr. Stommes introduced a business financed in part by the Initiative Foundation - JenTra Tools, a local business from Backus that distributes door installation systems. Travis Kelly from JenTra Tools, LLC explained his company plan and acknowledged the assistance provided by the Initiative Foundation. The Board thanked the gentlemen for the update. No action necessary.
- 6A. ESD Director John Ringle and SWCD Chair Jim Ballenthin reported that per the County Board request of September 16, 2014, the SWCD Board has reviewed a draft resolution from the Forest to Agriculture Conversion Subcommittee and recommends adoption of the same. SWCD Chair Jim Ballenthin also reported that on October 2, 2014 the Cass SWCD Board adopted four groundwater protection resolutions that will be presented at the December SWCD State Association meeting.

Commissioner Downham offered Resolution No. 48-14 and moved its adoption, Commissioner Peterson seconded:

WHEREAS, recent trends indicate large lot sales of former forested land (i.e. Potlatch) to both public and private entities, and

WHEREAS, some of the referenced sales resulted in losing public access or conversion to other land uses including large scale irrigation of agriculture land, and

WHEREAS, we receive citizen requests to explain County related strategies to maintain already adopted comprehensive plan goals of “no net loss of public lands” and “protecting our surface and ground water resources”,

NOW THEREFORE, BE IT RESOLVED that Cass County supports:

- 1). Ongoing research to develop and implement best management agricultural and forestry practices, and
- 2). A statewide water permitting process with reasonable enforcement efforts, and
- 3). Countywide land use regulations that balance both the public and private rights, and
- 4). The public acquisition of strategic private parcels when consistent with locally adopted standards and approved by the local unit of government, and
- 5). An expedited effort to complete the Cass County Geologic Atlas

Resolution No. 48-14 was adopted by majority vote: Dowson, Gaalswyk, Kangas, Peterson. Nays: None. Absent: Downham.

Commissioner Downham excused himself from the rest of the meeting at 10:07 P.M.

- 6B. Mr. Ringle and Mr. Ballenthin presented a draft proposed rule comment letter from Cass County and the SWCD regarding the definition of "Waters of the U.S." being considered under the Clean Water Act Docket No. EPA-HQ-2011-0880.

Highway Engineer David Enblom and Construction Design Engineer Laura Hadrava explained the present Highway Department process in applying for and obtaining wetland impact permits to comply with existing State (Wetland Conservation Act) and Federal (COE Waters of the US) laws.

M/S/P Dowson, Gaalswyk – To authorize a proposed rule comment letter on behalf of Cass County and the Cass SWCD to the US EPA and US Army Corps of Engineers regarding definition of "Waters of the United States" under the Clean Water Act Docket No. EPA-HQ-2011-0880 requesting clarifications where required and providing an allowance for State exemption where a State has in place regulations which substantially achieve the goals of the Clean Water Act. Unanimous.

- 6C. Mr. Ringle presented a letter agreement dated October 14, 2014 granting approval of improvements made by Cass County at the recycling site located on the premises of the Walker Home Center. The improvements, valued at about \$19,000, consist of rerouting the access road to the site by providing a thru-road to Industrial Park Road NW. The improvements were previously approved at the regular Cass County Board of Commissioners meeting of Tuesday, June 3, 2014. No additional action necessary.
- 7A. The Board confirmed attendance at the AMC District II Meeting, on Wednesday, October 29, 2014, beginning at 8:00 am, at PrimeWest, 3124 Hannah Avenue, Bemidji, MN;
- 7B. Administrator Yochum reported an invitation to the Board by the University of MN Extension Service to a Leech Lake Watershed training conference on Tuesday, October 28, 2014, beginning at 5:00 p.m., Northern Lights Casino, Walker, MN.
8. M/S/P Dowson, Peterson – To close the meeting to the public for department head annual evaluations and report the results at the next regular meeting pursuant to MN Statutes Chapter 13D.05 Sub. 3. (a), and further that no additional agenda items will be considered upon reopening this meeting. Unanimous.
9. The Board conducted performance evaluations of the Chief Financial Officer, Land Commissioner, Highway Engineer, and County Administrator.

M/S/P Peterson, Gaalswyk – To reopen the meeting, and adjourn at 1:22 p.m. Unanimous.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator