

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
July 21, 2015**

- 1A. Chairman Gaalswyk convened the regular meeting of the Cass County Board of Commissioners at 6:00 p.m. on Tuesday, July 21, 2015, with the flag pledge at the Inguadona Township Hall, located at 1350 Co.Rd.#5 (Longville Fire Hall) Longville, MN. Commissioners present: Bruns, Downham, 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
Kevin Dahlman	Asst. Land Commissioner	James Schneider	Probation Director
Tim Richardson	Central Services Director	Kerry Swenson	Emergency Mgmt. Coord.
Roy Flohaug	Inguadona Twp.	Terry Nagorski	28 th Ave. Longville
Kurt Dahlen	28 th Ave. Longville	Kay Blais	Longville
Jim Workman	Longville	Denny Lilyquist	Self
Gail DeBoer	Pilot Independent	Monica Lundquist	Brainerd Dispatch

- 1B. M/S/P Downham, Kangas – To approve the agenda items for discussion as presented after the addition of Item 1C. (Request to be heard – Terry Nagorski), and moving Item 5A. (Sheriff Tom Burch - Emergency response update on storm of Sunday, July 12, 2015) to Item 1D. Unanimous.
- 1C. Terry Nagorski requested to be heard regarding complaints related to land septage disposal at 2600 46th Street NE, Longville, MN. County Administrator Yochum explained that the matter was previously referred by the County Board to the Planning Commission and that the Planning Commission response is scheduled for the regular Board Meeting of Tuesday, August 4, 2015. No action necessary.
- 1D. Sheriff Tom Burch discussed the emergency response to the storm of Sunday, July 12, 2015 that caused significant wind damage in Cass County especially in the Cities of East Gull Lake, Lake Shore, Pillager, and the Townships of Fairview, Homebrook, and Sylvan. Mr. Burch noted the extraordinary cooperation from public agencies, private companies, and individual citizens. MIS Director Tim Richardson shared photographs that provided a sample of the damage. Emergency Management Coordinator Kerry Swenson explained that documentation to date provided to the State of MN Homeland Security and Emergency Management (HSEM) included a temporary (3 day) Local Emergency Declaration was signed by the Board Chairman and a Damage and Impact Assessment report of the first 48 hours indicating \$450,000.00 of damage to public infrastructure. Mr. Yochum reported that the next step would be to request a State of Minnesota disaster declaration and State disaster relief financial assistance similar to that provided to Beltrami, Cass and Itasca Counties as a result of the May 27, 2012 storm damage disaster.

M/S/P Kangas, Gaalswyk – To respectfully request a State of Minnesota disaster declaration for portions of Todd, Cass, and Crow Wing Counties as a result of the July 12, 2015 storm damage and further to request disaster relief financial assistance similar to that provided to local units of government as a result of storm damage in 2012. Unanimous.

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

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

Approve - Regular Board Minutes of July 7, 2015.

Approve - Auditor Manual Warrants dated June, 2015 in the amount of \$10,993,935.70.

Approve - Auditor Warrants dated June 25, 2015 in the amount of \$198,521.35.

Approve - Auditor Warrants dated June 30, 2015 in the amount of \$858.00.

Approve - Auditor Warrants dated July 2, 2015 in the amount of \$116,014.62.

Approve - Auditor Warrants dated July 9, 2015 in the amount of \$147,986.41.

Receive & file - Monthly budget reports.

Approve - HHVS Auditor Warrants dated July 10, 2015 in the amount of \$78,230.14.

Approve - HHVS Commissioners Warrants dated July 10, 2015 in the amount of \$127,536.82.

Approve Personnel Items - A. Budgeted positions scheduled for replacement. 1. Receive & file - Notice of resignation of Danielle Smith, County Agency Social Worker-CPS, Grade 30, effective July 17, 2015. 2. Receive & file - Notice of appointment of Jenna Berg, County Agency Social Worker-CPS, Grade 30, Step 1 to fill position vacated by Danielle Smith effective July 8, 2015. 3. Receive & file - Notice of appointment of Bailey Wethern, County Agency Social Worker-CPS, Grade 30, Step 1 to fill position vacated by Shelly Johnson effective July 13, 2015. 4. Receive & file - Notice of appointment of Carrie Wineburner, Office Support Specialist, Grade 16, Step 1 to fill position vacated by Jill Oberfell effective July 20, 2015. 5. Receive & file - Notice of resignation of Katrina Miller, Eligibility Worker, effective July 28, 2015, and receive and file the notice of intent to fill budgeted Eligibility Worker, Grade 22. B. Positions scheduled for no replacement at this time. None. C. Other. None.

Approve licenses - Off Site On Sale: Growlers Gathering 7/25/15 (Bear's Den) Gary Dauer, Meadow Brook. On Sale Intoxicating (including Sunday): Soo Line Saloon & Eatery - Nystrom Ventures, LLC, Remer Twp.

Approve - 2015 Federal Payment-In-Lieu distribution to nineteen townships totaling \$164,284.00 and Cass County's share totaling \$383,332.00.

Authorize - Payment of budgeted support for FY2015 to the Working Together Coalition in the amount of \$3,500.00(1/2 payment).

<u>Bid</u>	<u>Bid Amount</u>
Gas Service Company – Walker MN	\$5,450.81
Lakes Gas Company – Pequot Lakes MN	\$5,728.00
Ferrellgas – Grand Rapids MN	\$8,480.00

M/S/P Kangas, Peterson – To award the bid to provide & install 2 – 1000 gallon LP tanks/w high pressure regulators to Gas Service Co. not to exceed \$5,450.81 (Land Dept. and Shop). Unanimous.

Authorize - Payments to North Country Electrical Services Inc. Payment #1(Inv. #8877) in the amount of \$14,426.10; and Payment #2(Inv. #8898) in the amount of \$20,700.00 for upgrade to fire alarm system.

Receive & file - Auditor -Treasurer's Interest Income Report for June 2015.

Authorize - Payments to Mark Beard Invoice#0035 in the amount of \$3,701.87; Lucachick Architecture, Inc. (Invoice#LA12359, LA12360 & LA12361) in the total amount of \$2,540.00; Lindys Plumbing LLC.(Inv#23687) in the amount of \$40,000.00; RW Electric, Inc. in the amount of \$5,184.00 Highway Shops (source of funds from Capital Fund – Garages & Capital Outlay Bldgs.); Bolton & Menk, Inc. (Invoice#0179384) in the amount of \$705.00 (Capital Fund).

Approve - Site specific agreement to maintain hunter walking trails (Daggett Brook in South Trelipe Township, Michaud Lake in Smoky Hollow Township, and Tank Lake in Blind Lake Township) using State of MN Funds, agreement serves as permission from Cass County to have the State of MN mow hunter walking trails on both State of MN and Cass County managed lands.

Approve Cass County SWCD Invoice #12 to provide professional services for Aquatic Invasive Species (AIS) prevention - \$73,296.50.

Approve - Road easement #15-9-137-29-44 (Wilson Twp.) to Gayle Jorges, Erik Martenson, and Sean & Elizabeth Jorges.

Receive & file - Auditor-Treasurer Sharon Anderson resignation from the Bi-CAP Board of Directors.

Receive & file - Quarterly report of litigated claims.

Approve Assessor's Office Abatements - 2015 Tax year - Shannon Avery, 29-858-0100 Pike Bay, Remove Personal Property Tax (current \$124.00, proposed \$ 0.00, Tax \$ change - 124.00).

Approve - Draft contract with Northland Community Schools for election support services – tentative election date November 9, 2015.

Approve - Emily/Outing Snowbirds request to construct and maintain a portable toilet on county administered land in Sec. 3 139N,R27W(Trelipe).

- 2B. Administrator Yochum presented a summary of the 2014 population estimates from the MN State Demographer. Cass County's population estimate for 2014 was 28,570 compared to the 2010 census of 28,567 (a 0.51% change), and the 2014 household estimate is 12,004 compared to the 2010 census of 11,948 (a 0.47% change).

M/S/P Peterson, Bruns – To receive & file the MN State Demographer population estimate report dated July 15, 2015. Unanimous.

- 2C. Mr. Yochum summarized the Leech Lake Band Liaison Committee meeting of Monday July 13, 2015. Cass County personnel consisted of Commissioner's Downham, and Bruns, Administrator Bob Yochum, and Highway Engineer Dave Enblom. Leech Lake Band personnel consisted of DRM Director Rich Robinson, Land/Environmental Director Levi Brown, Tribal Roads Manager Art Chase, and GIS Project Manager Ryan Anderson. The group reviewed the July 2015 status of project goals including law enforcement, judiciary, legal, roads, trails, human services, environmental, land management, and legislative. No action necessary.
- 3A. Assistant Land Commissioner Kevin Dahlman explained the Land Department recommendation to authorize an alternate land sale of Lots 23 and 24, Block 2, West Breezy Heights, Cass County, Minnesota consistent with related statutes and an executed State District Court stipulation agreement. Mr. Dahlman reported that sale would not conclude for less than the appraised value of \$27,700.00 plus associated fees for a total of \$28,743.41. Mr. Dahlman presented Resolution 28-15 setting time and date for alternate land sale.

Commissioner Downham offered Resolution No. 28-15 and moved its adoption, Commissioner Kangas seconded:

WHEREAS, the following parcel of land described as: Lots 23 and 24, Block 2, West Breezy Heights, Cass County, Minnesota is Tax-Forfeited land and the Cass County Board classifies said parcel as non-conservation lands, (Appraised Value: \$27,700.00),and

WHEREAS, the Cass County Auditor-Treasurer has determined that the highest and best use of said parcel will be achieved by combining it with adjoining parcels, and

WHEREAS, sale of such parcels is authorized under M.S. 282.01 Subd. 7a.,

NOW, THEREFORE, BE IT RESOLVED: that said parcel be offered for sale by sealed bids to adjoining property owners at no less than its appraised value; the sale will be for cash, and held by the Cass County Auditor-Treasurer at 10:00 a.m., Monday, August 31, 2015 at the Auditor's Office at the Courthouse, Walker, MN.

Resolution No. 28-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 4A. Probation Director Jim Schneider requested Board approval to submit a grant application to the Minnesota Department of Public Safety, Office of Justice Program, for a Cass County Pretrial Release Program, requesting funds up to \$200,000 for a 2-year period beginning October 1, 2015. Mr. Schneider explained the scope of the proposal that would improve corrections operations including community involvement and governmental partners including the Leech Lake Band of Ojibwe. Plans include hiring one FTE as part of this funding to implement a pretrial supervision program in Cass County, as the program would aid law enforcement in accountability, facilitate services for offenders and reduce our jail population. Mr. Schneider added that the project is a collaborative effort between our community, county attorney, Leech Lake Band of Ojibwe, judiciary, law enforcement, jail and probation departments who serve the same offenders in different capacities.

M/S/P Bruns, Downham - To approve the submission of a grant application to the Minnesota Department of Public Safety, Office of Justice Program, for Cass County Pretrial Release program, by the Probation Department. Unanimous.

- 5A. Discussed as Item 1D.

- 6A. Highway Engineer Dave Enblom reported receipt of a City of East Gull Lake request for a speed limit reduction on CSAH #70 and CSAH #77 within the City of East Gull Lake. Mr. Enblom explained the MnDOT traffic study process to determine appropriate speed limits. Engineer Enblom presented Resolution No. 29-15 and recommended its approval.

Commissioner Downham offered Resolution No. 29-15 and moved its adoption, Commissioner Gaalswyk seconded:

WHEREAS, the Cass County Highway Department has requested a speed zone safety study for CSAH 77 and CSAH 70 within the City limits of East Gull Lake.

NOW THEREFORE BE IT RESOLVED, the Cass County Board of Commissioners does hereby request that the Department of Transportation conduct a traffic investigation to determine the safe and reasonable speed limits on CSAH 77 and CSAH 70 in East Gull Lake, Cass County.

Resolution No. 29-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 7A. Chief Financial Officer Larry Wolfe presented Resolution No. 29-15 amending fund balance commitment at Dec. 31, 2014 for Compensated Absences increasing the commitment to \$2,850.00.

Commissioner Kangas offered Resolution No. 30-15 and moved its adoption, Commissioner Bruns seconded:

WHEREAS, The Cass County Board has adopted Governmental Accounting Standards Board Statement 54, Fund Balance Reporting Governmental Fund Type Definitions (GASB 54), and

WHEREAS, Cass County has a liability for compensated absences for its employees as determined by GASB 16, and WHEREAS, Compensated absences are a significant liability for the County, and

WHEREAS, The Cass County Budget Committee has recommended the full funding of this liability, and

WHEREAS, The Board of Commissioners committed \$2,750,000 of existing fund balance at December 31, 2013, in the General Fund for the funding of compensated absence payments.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Commissioners do hereby increase that commitment to \$2,850,000 of existing fund balance at December 31, 2014, in the General Fund for the funding of compensated absence payments.

Resolution No. 30-15 was declared adopted upon the following vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 7B. Mr. Wolfe presented the 2015 forfeited tax settlement (2014 receipts) and proposed distribution of \$1,376,217.00 as follows: reforestation \$412,865.00, trails \$233,957.00, general revenue \$291,758.00, eligible school districts \$291,758.00, and \$145,879.00 to eligible townships and cities.

M/S/P Peterson, Downham – To approve the 2015 forfeited tax settlement (2014 receipts) in the amount of \$1,376,217.00 and distribution of the same to Cass County taxing jurisdictions as presented. Unanimous.

- 7C. Mr. Wolfe presented the 2015 through 2017 Audit Engagement Letter with Office of State Auditor.

M/S/P Downham, Bruns - To authorize signature of Board Chairman Gaalswyk to execute an audit engagement letter with the Office of the State Auditor for each of the years ending December 31, 2015 through December 31, 2017. Unanimous.

8. County Administrator Yochum confirmed upcoming meeting schedule:

M/S/P Downham, Bruns - To authorize Board attendance at the Leech Lake Tribal Council – State of the Band Address on Thursday, August 20, 2015, 10:00 am, Northern Lights Event Center, Walker, MN. Unanimous.

9. Chairman Gaalswyk adjourned the meeting at 7:05 p.m.

SIGNED: _____
Neal Gaalswyk, Chairman
Cass County Board of Commissioners

ATTEST: _____
Robert H. Yochum
Cass County Administrator