

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
May 5, 2015**

- 1A. Chairman Gaalswyk convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, May 5, 2015 with the flag pledge in the Board Room of the Courthouse Annex, Walker, MN. Commissioners present: Bruns, Downham, Gaalswyk, and Peterson. Commissioners absent: Kangas.

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	Sharon Anderson	Auditor-Treasurer
David Enblom	Highway Engineer	Laura Hadrava	Construction Design Engineer
Kris Lyytinen	Asst. Highway Engineer	Paul Fairbanks	ESD
Scott Navratil	ESD	Rima Smith Keprios	ESD
Christopher Strandlie	County Attorney	Reno Wells	HHVS Director
Keith Karnes	LLBO Forestry Dept.	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent	Allan Olson	Cass Lake Times

- 1B. M/S/P Bruns, Peterson - To approve the agenda items for discussion as presented after deletion of Item 2A. 13 (Policy to prohibit county employees to smoke along Minnesota Avenue adjacent to the county courthouse and 4th Street from Minnesota Avenue to Michigan Avenue). Unanimous.

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

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

Approve - Board Minutes of April 21, 2015.

Approve - Auditor warrants dated April 16, 2015 in the amount of \$187,456.08.

Approve - Auditor warrants dated April 23, 2015 in the amount of \$377,084.20.

Approve - HHVS Commissioner warrants dated April 24, 2015 in the amount of \$200,896.78.

Approve - HHVS Auditor warrants dated April 24, 2015 in the amount of \$160,527.06.

Approve Personnel Items - Budgeted positions scheduled for replacement: 1. Receive & file - Notice of appointment of Seth Robison as Deputy Sheriff, grade 27 step 1, effective May 16, 2015. 2. Receive & file - Notice of appointment of Chris Thompson as Sergeant assigned to the Jail, grade 31, step 7, effective April 11, 2015. 3. Receive & file - Notice of appointment of Jennifer Swenson, Case Aide, to County Agency Social Worker-CPS, grade 30, Step 1 to fill position vacated by Jessica Curley effective May 9, 2015 and Receive & file - Notice of intent to fill budgeted Case Aide position, grade 20. 4. Receive & file - Notice of resignation of Amy Asell, Eligibility Worker, effective May 29, 2015, and Receive and file - Notice of intent to fill budgeted Eligibility Worker position, grade 22. 5. Receive & file - Notice of resignation of Jennifer Jackson, Public Health Nurse, effective July 31, 2015, and Receive and file - Notice of intent to fill budgeted Public Health Nurse position, grade 32. 6. Approve - Elimination of Outreach Worker grade 14 0.5 FTE position and two Home Health Aides, grade 13/PRN, and approve the hire of 1.0 FTE Licensed Practical Nurse (LPN) grade 17 replacement. B. Positions scheduled for no replacement at this time. None. C. Other: 1. Approve - Personnel Committee recommendations regarding Teamsters Local #320 step 3 grievance: decline the joint petition for mediation alternative, deny the grievance at step 3, and refer the same to labor counsel William Everett.

Approve licenses - Gambling - Outing Gun Club @ Village Inn Dining & Saloon - Connie Glass, Crooked Lake; Roosevelt and Lawrence Area Lakes Association (RALALA) - Robert S. Lee, Crooked Lake.

Accept - Donation in the amount of \$343.15 from Cass Lake-Bena School Penny Drive to be used for K9 Yankee.

M/S/P Downham, Bruns - To approve accept the low bid for clean-up of garbage and building materials on tax forfeit land to Kurt Sawyer in the amount of \$125.00/hour not to exceed \$1,500.00. Unanimous.

<u>Bidder</u>	<u>Bid per hour</u>
Kurt Sawyer	\$125.00 per hour
North Fork Boulders	\$130.00 per hour
Schrupp Excavating	\$175.00 per hour
Ruyak Enterprises, Inc	\$200.00 per hour

Authorize - 25% Fund use of \$1,240.00 for environmental education at Deep Portage – Pine & Lake Home School Assoc. (62 participants) on April 17, 2015.

Authorize - Payment to Lucachick Architecture, Inc. (Invoice#LA12286) in the amount of \$6,800.00, Highway Shops (source of funds from Capital Fund – Garages & Capital Outlay Bldgs.)

Receive & file - HHVS Cash Account Balance Comparison and Child Service Costs through March 2015.

Approve - Resolution No. 20-15 in support of Mississippi Headwaters Board Lessard Sams Outdoor Heritage proposal.

Commissioner Downham offered Resolution No. 20-15 and moved its adoption, Commissioner Bruns seconded:

WHEREAS, Cass County is a member of the 8-county Mississippi Headwaters Board, which was established to identify and protect the natural, cultural, scenic, scientific, and recreational values of the Mississippi River's first 400 miles, and WHEREAS, fragmentation of the forested shoreland and the loss of access along the Mississippi River, headwater's reservoirs, and connecting corridor tributaries is occurring, and

WHEREAS, protection of the Mississippi River's habitat and access to adjacent public land is the key to enjoying the hunting, fishing, and outdoor habitat of Minnesota's outdoor traditions, and

WHEREAS, a targeted, coordinated process involving county government has been developed by the Mississippi Headwaters Board for fee title acquisition and permanent easements.

NOW, THEREFORE, BE IT RESOLVED that the Cass Board of Commissioners supports the Mississippi Headwaters Board's application to the Lessard Sams Outdoor Heritage Council for preservation and protection of the Mississippi River, headwater's reservoirs, and connecting corridor tributaries.

Resolution No. 20-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Peterson. Absent: Kangas.
Nays: None.

Receive & file - Notice of fee schedule change pursuant to MN Statutes Chapter 357 for variances, CUP's Plats (ESD collecting Recorder fees in advance).

Receive & file - Cass County Detention Center – Jail Health Report 2014.

Refer - Cass County Housing & Redevelopment Authority levy request to the Cass County Citizens Budget Committee.

Receive & file – Timber auction results of Thursday, April 30, 2015, totaling 10,091.00 cords plus 40.70mbf saw timber totaling \$220,919.01.

- 3A. Auditor-Treasurer Sharon Anderson discussed the 2016 through 2020 Cass County Capital Improvement Plan (CIP) draft including the goals and criteria, policies and procedures, the relationship of the CIP to the operating budget, the financial assumptions and debt policies. Chief Financial Officer Larry Wolfe discussed capital fund balance trends. Administrator Yochum commented on the long term planning considerations, and Highway Engineer Dave Enblom discussed the capital projects for the Highway Department.

M/S/P Bruns, Downham - To table the adoption of the 2016 through 2020 Cass County Capital Improvement Plan until after a public hearing hereby established for Tuesday, June 02, 2015, during the regular Board meeting beginning at 9:00 a.m. located in the Courthouse Annex Boardroom, Walker, MN. Unanimous.

- 4A. Highway Engineer David Enblom reported back from an Ad Hoc Committee (Kangas Peterson) meeting of April 7, 2015. Staff has identified the potential use of a portion of the County owned "post office site" at Pine River as suitable for a Highway maintenance shop. The City of Pine River has been confirmed that under current zoning regulations the parcel could be split to allow the proposed maintenance shop 3 acres for the Highway Department and leaving 1 acre for the Post Office parcel. The site would provide access to municipal utilities, and would save the proposed project approximately \$60,000 from not having to extend services to the old location and not having to put in a new well. Mr. Enblom added that the city has been contacted to see if they would like to be included in the project to construct a joint facility.

M/S/P Peterson, Bruns – To authorize the Highway Department to further explore the proposed Pine River maintenance shop location on the County owned Pine River Post Office parcel and report back for final authority to split the parcel. Unanimous.

Mr. Enblom also discussed the Cass Lake Highway maintenance shop project. Engineer Enblom reported that the existing site would be improved if a platted alley bisecting the City block were to be vacated. The utilities occupying the alley have been notified and are receptive to moving their service lines. The other affected property owner is the International Paper Company which has no objections to the alley vacation and is interested in pursuing the transfer of abutting property to Cass County.

M/S/P Downham, Peterson - To approve notifying the City of Cass Lake of Cass County's interest in acquiring the contiguous International Paper Company parcels, and further, to submit a formal vacation request of the referenced platted alley. Unanimous.

- 4B. Construction Design Engineer Laura Hadrava presented bids (received on April 28, 2015) for contract 60417 improvements to CP2015-1(129), SAP 011-604-017, SAP 011-607-012, SAP 011-658-006, SAP 011-665-009, SAP 011-674-005. Ms. Hadrava explained that the projects are located on CSAH's 4,7,58,65,74 and CR 129, and the engineers estimate was \$5,682,822.40.

<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Tri-City Paving, Inc.	\$5,730,619.36	0.84% Over Estimate
Hawkinson Const. Co. Inc.	\$5,806,146.79	2.17% Over Estimate
Central Specialties, Inc.	\$6,480,978.37	14.05% Over Estimate

Ms. Hadrava presented bids (received on April 28, 2015) for contract 60417 for the City of Longville Sanitary Collection System Rehabilitation project, with an estimate of \$750,000.00. Highway Engineer David Enblom explained that the sanitary sewer portion of a combined project award requires City of Longville and their funding source(s) approval.

<u>Bidder</u>	<u>Total Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Tri-City Paving, Inc.	\$1,168,933.00	55.86% Over Estimate
Central Specialties, Inc.	\$1,210,410.75	61.39% Over Estimate
Hawkinson Const. Co. Inc.	\$1,213,045.00	61.74% Over Estimate

M/S/P Downham, Peterson - To approve award of Contract No. 60417 to the apparent low bidder Tri-City Paving, Inc. in the amount of \$6,899,552.36 (received on April 28, 2015) contingent upon the City of Longville concurrence for the sanitary sewer portion the contract. Unanimous.

- 4C. Mr. Enblom presented bids for a new Cass Lake maintenance shop (received May 4, 2015). Mr. Enblom added that the Capital Plan program construction costs for this project were estimated to be \$325,000.

Bid 1 - Pre-Engineered Steel Bldg.

<u>Business Name</u>	<u>Total Bid Amount</u>
Hytec Construction	\$214,400.00
Diversified Builders	\$270,145.00
Cuperus Construction	\$294,500.00
Richard Glenn Construction	\$306,400.00

Bid 2 & 3 Design Build - Plumbing & HVAC

<u>Business Name</u>	<u>Total Bid Amount</u>
Lindy's Plumbing & Heating	\$69,040.62
Hytec Construction	\$70,185.00

Bid 4 Design Build - Electrical

<u>Business Name</u>	<u>Total Bid Amount</u>
RW Electric	\$21,375.00
Hytec Construction	\$23,265.00
Total Low Bid Base Price	\$304,815.62
Add Change Order #1 – Steel ceiling liner	\$ 9,000.00
Add Change Order #2 - Plumbing connection to City services	<u>\$ 5,560.00</u>
Amended Total amount	\$319,375.62
Base bid alternate standing seam roof option	\$11,000.00
Total with roof option	\$330,375.62

M/S/P Peterson, Bruns – To amend this portion of the Cass Lake maintenance shop Capital Plan program from \$325,000.00 to \$319,375.62 by accepting the apparent low bids: Bid 1 Pre-Engineered Steel Building to Hytec Construction in the amount of \$214,400.00; Bid 2 & 3 Design Build - Plumbing & HVAC to Lindy's Plumbing & Heating in the amount of \$69,040.62; Bid 4 Design Build – Electrical to RW Electric in the amount of \$21,375.00; Approve Change Order #1 to Hytec to add steel ceiling liner in the amount of \$9,000.00; Approve Change Order #2 to Lindy's Plumbing & Heating for plumbing connection to City services in the amount of \$5,560.00. Unanimous.

- 4D. Mr. Enblom discussed a letter of support for a Forest Land Access Program (FLAP) grant application to replace the CSAH 8 bridge over the Leech River near Federal Dam. Mr. Enblom explained that CSAH 8 provides access to Leech Lake tribal lands located within the Chippewa National Forest and immediately adjacent to the Army Corps of Engineers recreation area. The existing bridge does not provide the necessary shoulders for the pedestrian and recreational uses of this area.

M/S/P Downham, Peterson - To approve a letter of support for a Forest Land Access Program (FLAP) grant application for the replacement of the CSAH 8 bridge over the Leech River near Federal Dam, and further, to approve solicitation of multiple partners to continue local collaboration. Unanimous.

- 5A. Solid Waste Officer/County Planner Paul Fairbanks introduced 2 new employees to the department, Environmental Resource Specialist Scott Navratil, and Permit Intake Clerk Rima Smith-Keprios. The Board welcomed them to Cass County.

Mr. Fairbanks discussed an unused hydraulic packer at the Pine River Transfer Station and requested Board action to declare the same as surplus equipment. Once the packer has been dismantled and sold the adjacent pit will be filled in to accommodate additional needed storage.

M/S/P Peterson, Bruns - To declare the referenced solid waste compactor equipment excess property and authorize seeking public bids for its sale. Unanimous.

- 5B. Mr. Fairbanks discussed the benefits of replacement of florescent lighting lamps with LED lamps in the sorting portion of one of the buildings at the Pine River Transfer Station. Source of funds would be budgeted maintenance account.

M/S/P Bruns, Downham – To approve the quotation received from TC Lighting Supplies & Recycling Inc. in the amount of \$9,102.80. Unanimous.

- 6A. Land Commissioner Josh Stevenson informed the Board that the Land Department has been working with the Headwaters Regional Development Commission as a partner in the Leech Lake Community Wildfire Protection Plan. Keith Karnes of the Leech Lake Band of Ojibwe Forestry Department discussed the planning effort to identify strategies for reducing the occurrence of wildfires and the impact of wildfires in the Leech Lake community. Mr. Karnes added that the plan was completed in 2014, and was developed with input from tribal, state, federal, and local stakeholders.

M/S/P Peterson, Gaalswyk – To receive & file the Leech Lake Community Wildfire Protection Plan and authorize Land Commissioner Stevenson to acknowledge Cass County's agreement to participate. Unanimous.

- 6B. Land Commissioner Josh Stevenson presented Resolution No. 21-15 establishing the 2015 tax-forfeit settlement set asides for reforestation and maintenance of recreational areas. Mr. Stevenson explained that the Land Department has experienced an increase in the 2014 balance of the 650 account compared to 2013. The balance of the previous year dictates the current year distribution. This increase is largely attributed to timber sale activity (\$464,469 increase from 2013). Given pending commitments and to maintain a level distribution to taxing districts the recommended percent of withholding to trails is 17% (\$233,957) and reforestation is 30% (\$412,865). This is an increase from last year when trails were 11.5% and reforestation was 11.5%. The tax forfeit distribution in 2014 was \$704,727 compared to \$729,395 for 2015.

Commissioner Downham offered Resolution No. 21-15 moved its adoption, Commissioner Peterson seconded:

WHEREAS, Minnesota Statute 282.08 specifies that any county board may annually by resolution set aside no more than 30 percent of the tax-forfeited settlement for reforestation.

WHEREAS, Minnesota Statute 282.08 further specifies that any county board may annually by resolution set aside no more than 20 percent of the tax-forfeited settlement for acquisition and maintenance of county recreational areas.

WHEREAS, it is in the best interest of Cass County to promote reforestation and recreational development within the county.

THEREFORE, BE IT RESOLVED that 30 percent of the tax-forfeited settlement be set aside for reforestation, and 17 percent of the tax-forfeited settlement be set aside for maintenance of recreational areas.

Resolution No. 21-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Peterson. Absent: Kangas. Nays: None.

7. County Administrator Yochum discussed upcoming meetings:

M/S/P Peterson, Bruns – To authorize the Board’s attendance at the AMC District II Meeting, Wednesday, June 3, 2015, Northern Township Hall, 445 Town Hall Road, NW, Bemidji, MN. Unanimous.

8. M/S/P Bruns, Gaalswyk - To close the meeting at 10:25 a.m. pursuant to MN Statutes 13D.05, Subd.3. (b). – attorney client discussion regarding employee medical data and to reconvene without any additional Board action at this meeting. Unanimous.

Present at the closed meeting: Commissioners Bruns, Downham, Gaalswyk, and Peterson, County Administrator Robert Yochum, County Attorney Christopher Strandlie, Human Resource Director Josh Stevenson, and HHVS Director Reno Wells.

9. M/S/P Bruns, Peterson – To reopen the closed meeting at 11:20 a.m. and adjourn the regular meeting. Unanimous.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator