

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
September 1, 2015**

- 1A. Chairman Gaalswyk convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, September 1, 2015 with the flag pledge in the Board Room of the Courthouse Annex, Walker, MN. Commissioners present: Downham, Bruns, 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
Laura Hadrava	Construction/Design Engineer	Paul Fairbanks	Solid Waste/County Planner
Wanda Reed	HHVS	Marla Sullivan	HHVS
Melanie Wolfe	HHVS	Carol Mueller	HHVS
Marlen Harris	Stockman Transfer	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent	Allan Olson	Cass Lake Times

- 1B. M/S/P Peterson, Downham - To approve the agenda items for discussion as presented after moving Item 2A.21 to Item 7B. (assist disposal/recycling of hazardous waste at Northland Schools) and by adding Item 8B.(authorize Board attendance at the Cass County Mass Care/Emergency Sheltering Tabletop Exercise on Wednesday, September 16, 2015 beginning at 8:00 a.m., Walker Community Center, Walker, MN). Unanimous.

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

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

Approve - Board Minutes of August 18, 2015.

Approve - Auditor warrants dated August 13, 2015 in the amount of \$1,870,484.78.

Approve - Auditor warrants dated August 20, 2015 in the amount of \$371,983.76.

Approve - HHVS Commissioner warrants dated August 21, 2015 in the amount of \$199,197.29.

Approve - HHVS Auditor warrants dated August 21, 2015 in the amount of \$117,063.27.

Approve Personnel Items – A. Budgeted positions scheduled for replacement: 1. Approve - Appointment of Colleen Bennett, Legal Secretary, grade 19, step 4, effective date of September 8, 2015. 2. Receive & file - Notice of appointment of Natascha Poole, County Agency Social Worker, Grade 30, Step 1 to fill position vacated by Julie Reimer effective August 24, 2015. 3. Receive & file - Notice of resignation of Racheal Bratz, County Agency Social Worker, effective September 10, 2015, and receive & file the notice of intent to fill with a budgeted County Agency Worker-CPS, Grade 30. B. Positions scheduled for no replacement at this time: None. C. Other: 1. Receive & file – Notice that Jennifer Swenson has completed the probationary period effective August 27, 2015.

Approve licenses – Tobacco - Dollar General - DG Retail, LLC, Pillager

M/S/P Kangas, Bruns - To award a mine tailings delivery contract to Schrupp Excavating for \$350.00 mine tailings to firm up a sand pocket on the Deerfield/ GIA trail (S 35-T140- R31 Hiram Twp).Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Schrupp Excavating	\$25/yd 14 yds @ \$25 /yd = \$350
Northfork Boulders	\$27/yd

Approve - Appointment of citizen Wayne LaDuke to the BI-CAP Board of Directors with a term expiring December 31, 2015.

Receive & file - 2nd quarter 2015 foreclosure report and summary.

Authorize - Payments to Rhomar Industries, Inc. Invoice #83287 in the amount of \$1,016.95 – salt storage; RW Electric, Inc. in the amount of \$5,427.00 – Cass Lake Highway Shop (source of funds from Capital Fund – Garages & Capital Outlay Bldgs.).

Approve - Use of Conservation Fund #73 for Christmas Point Trail relocation in the amount of \$4,650.00 to Tyler's Backhoe Service.

Accept - Execution of 2015 Emergency Management Performance Grant (EMPG) (PO#3000035899) (CFDA: 97.042) in the amount of \$27,560.00 with budgeted local match of the same.

Approve - Cass County SWCD Invoice #13 to provide professional services for Aquatic Invasive Species (AIS) prevention - \$71,068.31.

Approve - Request from James G. Hagen and Brenda R. Machal-Hagen to issue an easement on an existing road crossing Soo Line Trail to their private property in Sec. 28 of Slater Twp.

Approve - HHVS Purchase of Service contracts: MN Dept. of Health CHB Grant Project Agreement for WIC from Jan. 1, 2016 to Dec. 31, 2020; MOA for Physical Therapy Services with Teresa Watson; MOA for Physical Therapy Services with Pequot Lakes Physical Therapy Services from July 1, 2015 to Dec. 31, 2015, increased from \$50.00/hour to \$51.00/hour.

Accept - Donation in the amount of \$200.00 from American Legion Post #202 Hackensack for Veterans Transportation Program.

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

Receive & file - Timber auction results of Thursday, August 27, 2015 totaling 3,480.00 cords totaling \$83,424.00.

M/S/P Kangas, Bruns – To award a contract to Northfork Boulders for delivering 100 yards of taconite tailings for repairs on two sandy washouts on the Bull Moose Trail and the intersection of Snoway One and the Bull Moose Trail NTE \$2,800 in Sec. 5-138-31 (Bull Moose Township). Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Northfork Boulders	\$28/yard
Schrupp Excavating	\$32/yard
Ruyak Enterprises	\$33/yard

- 2B. Administrator Yochum presented meeting notes and executive summary exhibits from the August 21, 2015 Citizen Budget Committee meeting. Mr. Yochum discussed the 2016 budget support materials reviewed by the committee including reference materials, budget request detail, staff recommendations, and the additional information requested by the committee prior to final budget recommendations to the Board. Administrator Yochum explained that the department requests are +\$2,157,664 at the 2015 property tax levy of \$20,182,969. County staff identified to the committee potential operating budget request adjustments that would reduce the preliminary levy request through the possible use of fund balance to +\$1,292,664 at the 2015 property tax levy of \$20,182,969 but still require subsequent project approval. Mr. Yochum reported that the committee reached a unanimous recommendation to the County Board for the 2016 preliminary property tax levy, however, noting that the committee has not reached any final conclusions regarding the recommended 2016 budget.

Chief Financial Officer Larry Wolfe explained the Citizen Budget Committee 2016 preliminary County property tax recommendation that upon Board approval will be used to provide notice to the public of the maximum dollar amount being considered by the Board for the 2016 County property tax levy. Mr. Wolfe presented estimates of the County property tax rate and the dollar change by tax classification if the preliminary levy were to be approved as the final levy.

Commissioner Peterson moved to accept the Citizen Budget Committee preliminary property tax levy recommendation by the adoption of Resolution No. 35-15, and Commissioner Downham seconded:

WHEREAS, M.S. 275.065 requires the County Board to adopt a proposed property tax levy prior to September 30, 2015, 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 2016 in the stated amounts:

	<u>Preliminary 2016</u>	<u>Final 2015</u>	<u>Difference</u>
Net County Levy	\$21,014,633	\$19,585,613	1,292,664
LASSD Levy	<u>461,000</u>	<u>461,000</u>	<u>0</u>
Preliminary Net Certified Levy	\$21,475,633	\$20,182,969	1,292,664

Estimated Preliminary County Rate	32.132%	30.567%	5.12%
Estimated Preliminary Rate within LASSD	36.159%	34.601%	4.50%

BE IT FURTHER RESOLVED that a public hearing on the adoption of Cass County's tax levy for 2016 will be held December 1, 2015, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Resolution No. 35-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

Commissioner Peterson moved to accept the Citizen Budget Committee preliminary property tax levy recommendation by the adoption of Resolution No. 36-15, and Commissioner Downham 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 2016.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners do hereby approve the following preliminary property tax levies for 2016 for Cass County unorganized townships:

	Preliminary <u>2016</u>	Final <u>2015</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 2016 will be held December 1, 2015, beginning at 6:00 p.m. at the Commissioners Board Room, Cass County Courthouse, Walker, Minnesota.

Resolution No. 36-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 3A. Central Services Director Tim Richardson reviewed the status of the 2015 capital improvement project plan and reported actual activity to date of \$163,702.00 of the \$200,000.00 budgeted for the Walker campus. Mr. Richardson also discussed deferred maintenance activities year to date of \$77,838 of the \$100,000.00 budgeted for County wide facilities. No action necessary at this time.
- 4A. Highway Engineer David Enblom discussed a request from Loon Lake and Maple Townships for the County to consider assuming ownership of 64th Ave. The road is located in Loon Lake and Maple Townships and connects TH 371 with Cass County CSAH #1. Presently the easterly two miles is owned by Cass County (CR #168), the middle 1.25 mile section by Loon Lake Township, and the westerly 2 miles by Maple Township. Mr. Enblom added that the traffic using the road is not totally local in nature and that the road may meet County road designation criteria after improvements to County road standards.

M/S/P Kangas, Peterson – To authorize the Cass County Highway Department to perform a traffic study on 64th Avenue to determine traffic volumes and patterns and report back with results. Unanimous.

- 4B. Construction/Design Engineer Laura Hadrava presented an agreement with MnDOT to allow Cass and Morrison to exchange federal and state funding sources to construct road improvements more efficiently. Cass County will receive federal funds allocated to Morrison County in exchange for Cass County State Aid Funds. Ms. Hadrava added that the Cass County project to be funded is the last segment of CSAH #1 scheduled for next year.

Commissioner Kangas offered Resolution No. 37-15 and moved its adoption, Commissioner Downham seconded:

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Cass County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Chairman and the Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. "1001423", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Resolution No. 37-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 4C. Construction/Design Engineer Laura Hadrava presented bids for project SP 011-060-001 Trunk Hwy. #2 Bena Multi-Use Trail on behalf of the Leech Lake Band of Ojibwe. County Engineer Enblom confirmed acceptance of the apparent low bid from the Leech Lake Band of Ojibwe.

Project No. SP011-060-001
Engineers estimate \$201,238.00

<u>Bidder</u>	<u>Bid Amount</u>	<u>Percent Over/Under Estimate</u>
Gladen Construction	\$202,475.30	0.61% Over Estimate
Young Excavating Inc.	\$220,286.01	9.47% Over Estimate

M/S/P Downham, Bruns - To award the bid to the apparent low bidder (received on August 26, 2015) for the Bena Multi-Use Trail (Project SP 011-0606-001) to Gladen Construction in the amount of \$202,475.30 upon confirmed acceptance of the bid from the Leech Lake Band of Ojibwe. Unanimous.

- 5A. Land Commissioner Josh Stevenson reported to the Board that a Land Department application for 2015 Federal Recreation Grant program has been selected for funding. Per previous Board action the application was submitted on behalf of the Lake Country Nordic Ski Club for \$54,000, with a county match of \$6,750 (#645 fund balance), and a club match of \$6,750. The amount actually funded is \$30,916.74 that will contribute to local match to provide cross country ski trail equipment consisting of 2 snowmobiles, 3 groomers, and 2 trailers (stored near grooming sites for improved efficiency).

M/S/P Kangas, Bruns – To receive and file notice that the Land Department application for 2015 Federal Recreation Grant program has been selected for funding in the amount of \$30,916.74 to provide cross country trail grooming equipment with matching contributions of up to \$6,750 by the Lake Country Nordic Ski Club and up to \$6,750 by Cass County utilizing Land Department account #645 fund balance. Unanimous.

- 5B. Land Commissioner Josh Stevenson explained the Land Department's recommendation to authorize an alternate land sale of that portion of Government Lot 2, Section 28, Township 139, Range 29, tract of 23/100 acres, more or less, on Thursday, October 15, 2015 at 10:00 a.m. for the appraised value of \$1,400.00 plus associated fees for a total of \$1,517.62, and all subject to mineral reservations, if any of record. Subject to easements, conditions and restrictions of record.

Commissioner Downham offered Resolution No. 38-15 and moved its adoption, Commissioner Peterson seconded:

WHEREAS, the following parcel of land described as:

That portion of Government Lot 2, Section 28, Township 139, Range 29, described as follows: Commencing at the northwest corner of Government Lot 3, Section 33, Township 139, Range 29, run North Two Degrees Thirty-five minutes (2° 35') West 363.5 feet to a point, thence deflect right 6° 26' and run north 2° 35' East 380.2 feet to an iron monument on the shore of Lake Ada, the Northwest corner of Lot 1, Plat of Sunrise Point, thence deflect left 74° 24' and run 525.0 feet along the shore of Lake Ada to a point, thence deflect right 9° 30' and run 150.0 feet to a point. Thence deflect left 96° 20' and run 100.0 feet to a point, thence deflect right 63° 48' and run 253.5 feet to a point, thence deflect 67° 45' and run 27 feet to a point on the west edge of the cartway, hereinafter called the point of beginning, thence deflect left 36° 00' and run 61.0 feet to the shore of Deadman Lake, thence deflect left 57° 00' and run 130.00 feet along said shore to a point, thence deflect left 110° 00' and run 89.0 feet to a point on said cartway, thence deflect left 83° 46' and run 136.6 feet to the point of beginning. This enclosed a tract of 23/100 acres, more or less, all in Government Lot 2, Section 28, Township 139, Range 29. All subject to mineral reservations, if any of record. Subject to easements, conditions and restrictions of record.

Appraised Value: \$1,400.00

Is Tax-Forfeited land and the Cass County Board classifies said parcel as non-conservation lands, 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., Thursday, October 15, 2015 at the Auditor's Office at the Courthouse, Walker, MN.

Resolution No. 38 -15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 6A. Financial Assistant Supervisor I Wanda Reed, and Eligibility Workers Marla Sullivan and Carol Mueller presented an overview of long term care application process. Ms. Reed explained public assistance for long term care includes a range of service levels in nursing homes, intermediate care facilities, nursing care in an inpatient hospital, and services to help the person stay in their home. Supervisor Reed explained the role of eligibility workers such as Carol and Marla in administering very detailed eligibility requirements and complimented their performance. No action necessary.
- 7A. Solid Waste Officer Paul Fairbanks summarized the AdHoc Solid Waste Committee (Gaalswyk, Kangas) of August 18, 2015 regarding Stockman Transfer contract revisions. The current Stockman contract was negotiated in 2012 and expires on October 31, 2017. Due to declining recycling commodity prices and increased tipping fees at the Elk River Landfill, Stockman had requested a review of the contract and re-negotiation in the way Cass County pays Stockman Transfer for solid waste handling and services. The Solid Waste Sub-committee met with Rick Stockman and endorsed his request to be paid at an hourly rate rather than by stop and to let the County be the beneficiary of the value of the recycled materials rather than Stockman being in the volatile commodity market. By memo Director Ringle estimated an annual increase in contract cost to be \$100,000 less commodity sales (~\$34,000). Mr. Fairbanks presented an amendment to the agreement draft in the Board's packet regarding the recycle route performance collections.

M/S/P Kangas, Gaalswyk - To approve the agreement for solid waste management services with Stockman Transfer as presented in the Board packet and the amendment offered today regarding recycle route performance expectations. Unanimous.

- 7B. Mr. Fairbanks explained the request from the Northland School in Remer to assist with the disposal/recycling of hazardous waste of 2 drums of flammable liquids, pesticides, aerosols and paint utilizing funds from the Solid Waste Fund at an estimated cost around \$3,000.00. Northland School would pay for \$1,500.00 of the cost and the Cass County Solid Waste Fund would pay for the remainder. Mr. Fairbanks added this is consistent with matching local units of government solid waste/recycling projects if approved to do so by the County Board and is not intended to be an ongoing commitment.

M/S/P Bruns, Downham - To approve matching funds not to exceed \$1,500 from the County Solid Waste Fund to provide assistance in disposal/recycling of hazardous waste at the Northland School. Unanimous.

- 8A. County Administrator Yochum discussed upcoming meetings including: Commissioners Regular Board Meeting on Tuesday, September 15, 2015, beginning at 6:00 p.m. at the East Gull Lake City Hall, 10790 Squaw Point Road, East Gull Lake, MN.

- 8B. M/S/P Bruns, Kangas – To approve Board attendance at the Cass County Mass Care/Emergency Sheltering Tabletop Exercise on Wednesday, September 16, 2015 beginning at 8:00 a.m., Walker Community Center, Walker, MN. Unanimous.

9. Chairman Gaalswyk adjourned the meeting at 10:40 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator