

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
January 20, 2015**

1A. Chairman Gaalswyk convened the regular meeting of the Cass County Board of Commissioners at 9:07 a.m. on Tuesday, January 20, 2015 with the flag pledge, in the Land Department Meeting Room, Backus, 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
David Enblom	Highway Engineer	Josh Stevenson	Human Resource Director
Mark Peterson	County Assessor	Christopher Strandlie	County Attorney
Tim Richardson	Central Services Director	Laura Hadrava	Const. Design Eng.
Kris Lyytinen	Asst. County Engineer	Theresa Felix	AFSCME Local #2195
Gail Levenson	Cass County EDC	Joan Downham	Self
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

1B. M/S/P Downham, Kangas – To approve the agenda items for discussion as presented. Unanimous.

2A. Robert Yochum presented the Board the following matters:

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

Approve - Board Minutes of January 6, 2015.

Approve - Auditor manual warrants dated December, 2014 in the amount of \$5,745,980.47.

Approve - Auditor warrants dated December 31, 2014 in the amount of \$258.00.

Approve - Auditor warrants dated December 31, 2014 in the amount of \$197,280.45.

Approve - Auditor warrants dated January 8, 2015 in the amount of \$381,664.01.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated December 31, 2014 in the amount of \$33,878.90.

Approve - HHVS Auditor warrants dated December 31, 2014 in the amount of \$111,854.35.

Approve - HHVS Commissioner warrants dated January 9, 2015 in the amount of \$64,844.89.

Approve - HHVS Auditor warrants dated January 9, 2015 in the amount of \$67,220.95.

Approve Personnel Items – A. Budgeted positions scheduled for replacement: 1. Receive & approve - Notice of temporary appointment of Rachel Raveling, effective December 16, 2014 as Office Support Specialist, grade 16, step 4 to assist in scanning of Public Health files and training for employee transitions. 2. Receive & approve - Notice of temporary appointment of Kristine Hedren, effective January 15, 2015 as Accounting Technician, grade 19, step 10 to assist in training of new staff due to high turnover in Accounting within the last few months. 3. Receive & approve – Hiring of a temporary FTE Eligibility Worker, grade 22, to assist the Income Maintenance Department while staff are out on extended medical and child bearing/child rearing leave. 4. Receive & file - Notice of resignation of Randy Carlson, County Agency Social Worker-CPS, effective January 30, 2015, and Receive & file - Notice of intent to fill budgeted County Agency Social Worker-CPS position, grade 30. 5. Receive & file - Notice of return of Barb Hiniker to Office Support Specialist grade 16, step 6, effective February 14, 2015. Receive & file - Notice of intent to fill vacated Accounting Technician position, grade 19, step 1. B. Positions scheduled for no replacement at this time: None. C. Other: None.

Approve licenses – On Sale 3.2 Beer - Beckers Resort- Holter Holiday, LLC, Unorganized. On & Off Sale 3.2 Beer - Salty Dog Saloon, Thomas Sewall, Powers.

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

Approve - Capital project payments: Haataja Contracting Inc. – Walker Highway Shop final upgrades in the amount of \$31,657.60; Mark Beard – Highway Shops upgrades in the amount of \$800.00.

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

Approve - Retention of Paul Reuvers of Iverson, Reuvers Condon - Selable, Properties, LLC. vs timothy Charles Benson and Tom Burch in his official capacity as the Cass County Sheriff (Sheriff sale of July 23, 2014 parcel ID#14-380-0150).

Approve - HHVS Purchase of Service contracts from January 1, 2015 through December 31, 2015: Teresa Watson, Physical Therapy Services(No change); Amendment to Grant Contract for Administrative C&TC Services Grant #89544 to amend original contract language re: Insurance Liability Limits; MDH Grant Project Agreement for Title V Maternal and Child Health Block Grant\$38,446 for 2015 and 2016.

Accept - Donation in the amount of \$20.00 from an anonymous person to the Sheriff's Office.

Approve - Out of state travel for County Attorney Jeanine Brand to attend Indian Country Strangulation and Suffocation Seminar on Feb. 10-13, 2015 Columbia, South Carolina (paid by the US Department of Justice).

M/S/P Downham, Bruns – To approve quotes for printing and mailing of tax forms for years 2015 through 2017: American Solutions for Business – NBS, property tax statements \$8,254.60, and valuation notices added to tax statement \$1,610.00, and American Solutions for Business - Impact for truth-in-taxation notices \$5,900.75. Unanimous.

Property Tax Statements

<u>Bidder</u>	<u>Forms & Envelopes</u>	<u>Services</u>	<u>Total</u>
ASFB-NBS	\$4,208.35	\$4,046.25	\$8,254.60
ASFB-Impact	\$3,986.60	\$4,809.03	\$8,795.63
Streamworks	\$7,053.94	\$3,392.25	\$10,446.19

Valuation Notices added to Tax Statements

<u>Bidder</u>	<u>Forms & Envelopes</u>	<u>Services</u>	<u>Total</u>
ASFB-NBS	\$1,508.75	\$ 101.25	\$1,610.00
ASFB-Impact	\$1,475.07	\$2,653.27	\$4,128.34
Streamworks	\$1,198.00	\$1,884.00	\$3,082.00

Truth-In-Taxation Notices

<u>Bidder</u>	<u>Forms & Envelopes</u>	<u>Services</u>	<u>Total</u>
ASFB-Impact	\$1,441.50	\$4,459.25	\$5,900.75
ASFB-NBS	\$1,675.50	\$4,421.50	\$6,097.00
Streamworks	No bid	No bid	No bid

Approve - Out of state travel for Deputy Eric Lueth to attend Human Trafficking in Indian Country Seminar on Feb. 3-5, 2015 Columbia, South Carolina (all expenses except for wages to be covered by a scholarship).

Establish - Ad-Hoc Committee (Commissioners Kangas, and Peterson) to discuss Highway Department capital building program and road right-of-way maintenance policies (Tuesday, February 3, 2015, 11:00 a.m. Commissioners Board Room, Courthouse, Walker, MN).

- 2B. Mr. Yochum reported a request from the Association of Minnesota Counties (AMC) to appoint Cass County's delegates to Policy Committees for the year 2015. .

M/S/P Downham, Kangas – To approve the 2015 AMC Policy Committee appointments: Environment & Natural Resources, Dick Downham; General Government Policy Committee, Bob Kangas; Health & Human Services Policy Committee, Scott Bruns; Public Safety Policy Committee, Neal Gaalswyk; Transportation & Infrastructure Policy Committee, David Enblom. Unanimous.

- 3A. Human Resource Director Josh Stevenson reported that a tentative agreement offered by the Personnel Committee of the Board has been ratified by the members of AFSCME Local #2195 Courthouse Unit. Mr. Stevenson presented a draft contract for the years 2015 and 2016 noting that Cass County continues to “pattern bargain” by maintaining one pay plan, one core benefit level, one contract term, and where relevant, consistent contract administration language. HR Director Stevenson summarized the recommended changes to the contract that expired 12/31/14. AFSCME Local #2195 Courthouse Unit President Theresa Felix commented on the recent contract vote and thanked the Board for their cooperation.

M/S/P Kangas, Bruns - To approve the agreement as presented and authorize execution of a collective bargaining contract for calendar years 2015 and 2016 with the AFSCME Local #2195 Courthouse Unit. Unanimous.

- 3B. Human Resource Director Josh Stevenson reported that a tentative agreement offered by the Personnel Committee of the Board has been ratified by the members of the International Union of Operating Engineers Local #49 Highway Unit. Mr. Stevenson presented a draft contract for the years 2015 and 2016. HR Director Stevenson summarized the recommended changes to the contract that expired 12/31/14 noting that they are consistent with previously approved agreements covering the same time period.

M/S/P Peterson, Downham - To approve the agreement as presented and authorize execution of a collective bargaining contract for calendar years 2015 and 2016 with the International Union of Operating Engineers Local #49 Highway Unit. Unanimous.

- 4A. County Assessor Mark Peterson presented summaries of administrative valuation changes in the year 2014 by the Assessor's Office. Market value adjustments since the County Board of Equalization through year end totaled \$879,900.00. Chief Financial Officer Larry Wolfe commented that the budgeting process includes tax capacity forecasts coordinated with Assessor staff therefore 2014 value changes were anticipated in 2015 collections. No action necessary.
- 4B. Assessor Mark Peterson presented the 4th quarter 2014 foreclosure report (12 in 2014, 17 in 2013). The annual total foreclosures by township totaled 61 in 2014 vs. 95 in 2013 and arm's length transactions for 2014 were 899 vs. 825 for 2013.

M/S/P Peterson, Bruns – To receive & file the 4th quarter 2014 foreclosure report and the 2014 summary as presented by the Cass County Assessor. Unanimous.

- 5A. Construction Design Engineer Laura Hadrava requested Board approval of an agreement with the City of Longville to construct joint projects in 2015. Ms. Hadrava explained this is a “do over” from a 2014 agreement that was terminated due to high bid cost and the lack of available funds. The City of Longville has since been told by USDA Rural Development that funds are available for the City responsibility to construct sanitary sewer improvements. The County is responsible for the roadway improvements including storm sewer on CSAH 7 to coordinate with replacement of the bridge over the Boy River on TH 84 by MNDOT. Other County projects to be included are pavement preservation projects on CSAH 74, and CSAH 65, CSAH 4 widening and paving, and CSAH 58 urban grading and rural pavement preservation.

M/S/P Kangas, Peterson – To approve the Joint Powers Agreement with the City of Longville as presented for project management of City of Longville's sewer line improvements on CSAH 7 in conjunction with the TH 84 bridge replacement over the Boy River, and pavement preservation projects on CSAH 74 and CSAH 65, CSAH 4 widening and paving and CSAH 58 urban grading and rural pavement preservation. Unanimous.

- 5B. Assistant Highway Engineer Kris Lyytinen requested approval to purchase a 2015 F-550 Crew Cab truck for the Pine River Shop to replace a similar 2002 truck which was lost to a fire. Mr. Lyytinen discussed the plan to salvage the dump box from the 2002 and place it on the new truck chassis. Insurance paid \$19,833.33 for the loss minus the \$2,000.00 box salvage for a net of \$17,833.33. The new truck cost is \$38,098.25, which includes the MVET for a net replacement cost of \$20,264.92.

M/S/P Downham, Kangas - To approve the replacement purchase of a 2015 F-550 Crew Cab truck for Pine River Shop off the state contract for \$38,098.25, including the MVET. Unanimous.

Mr. Lyytinen presented an update to the Highway Department capital equipment replacement program. The plan identified the replacement cost of equipment of all equipment to be \$7,330,000 and recommended priorities for the years 2015 through 2021 based upon need and existing revenues. No action necessary.

- 5C. Ms. Hadrava requested approval to enter into an agreement with MNDOT to receive a bridge bonding grant from the State transportation fund to construct Bridge #11530 located on CSAH 1 crossing Stony Brook.

Commissioner Kangas offered Resolution No. 05-15 and moved its adoption, Commissioner Downham seconded:

Agreement to State Transportation Fund (General Fund)
Grant Terms and Conditions
SAP 011-601-025

WHEREAS, Cass County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 11530 on CSAH 1.

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$170,965.50 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Cass County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers, County Board Chair and County Administrator, are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

Resolution No. 05-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 5D. Design Engineer Hadrava presented Resolution No. 06-15 for final payment on Contract #60815 (Project SP011-608-015), a bridge replacement project with a final cost of \$1,346,156.11 which was funded jointly by Federal Public Lands discretionary money, the Leech Lake Band of Ojibwe, and Cass County.

Commissioner Downham offered Resolution No. 06-15 and moved its adoption, Commissioner Bruns seconded:

WHEREAS: Contract No. 60815 (SP 011-608-015) a bridge replacement project has in all things been completed, and the County Board being fully advised in the premises,

NOW THEN BE IT RESOLVED that we do hereby accept said completed project in the amount of \$1,346,156.11 for and in behalf of the County of Cass and upon receipt of all final documentation authorize final payment.

Resolution No. 06-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

- 6A. County Attorney Christopher Strandlie reported that he has been approached by the City Attorney for the City of Walker regarding assuming responsibility for City prosecutions. The County Attorney's Office presently provides said services for all municipalities in the county except for the Cities of Walker and Pine River. Minnesota Statutes 484.87 subd. 3 allows, but does not require the County to enter into an agreement to provide prosecution services for municipalities that have a population exceeding 600. If the City of Walker is interested in an agreement Mr. Strandlie reported he is open to that idea and would share an agreement format in the future.

M/S/P Kangas, Peterson - To encourage the County Attorney to assume the responsibility for prosecution services upon the request by the City of Walker to do so and further, to recommend a related agreement format. Unanimous.

- 6B. Mr. Strandlie discussed recent correspondence received from Staff Attorney Patrick Elliott on behalf of the Freedom from Religion Foundation regarding religious and political displays on the courthouse lawn during the "40 Days for Life Campaign". Mr. Strandlie informed the Board of his potential response to the Freedom from Religion Foundation. No action was taken.

- 7A. Central Services Director Tim Richardson requested Board action to approve use of a quote from Bay Carpet & Tile for carpet replacement projects as presented in the adopted Capital Plan. Mr. Richardson explained the timing and need for areas at Health, Human, and Veteran Services (HHVS), the MIS Department, and the Commissioners Board Room. Mr. Richardson added that Bay Carpet and Tile has held their unit prices for the last two years, and when last bid, was the lowest cost provider. This phase cost is \$41,550.40 (plus tax, if applicable) of the 2015 budget estimate of \$60,000.00.

M/S/P Bruns, Peterson - To approve the use of a quote from Bay Carpet & Tile, Inc. for carpet replacement projects at Health, Human, and Veteran Services, the MIS Department, and the Commissioners Board Room in the amount of \$41,550.40 (plus tax, if applicable), source of funds Capital Plan fund balance. Unanimous.

8. County Administrator Yochum discussed upcoming meetings including:

M/S/P Downham, Kangas – To approve the 2015 summer schedule for Cass County Board of Commissioner regular meetings: District # 2 - Tuesday, May 19, 2015 Byron, Meadow Brook, Moose Lake and Popular Townships at the Leader Community Hall, 7430 State #64 SW, Motley, MN; District # 5 - Tuesday, August 18, 2015, Leech Lake Town Hall, 10010 Rifle Range Dr. NW, Walker, MN; District # 1 - Tuesday, September 15, 2015 East Gull Lake City Hall, 10790 Squaw Point Road, East Gull Lake, MN and further that all 2015 summer schedule Board meetings will begin at 6:00 p.m. Unanimous.

M/S/P Kangas, Bruns – To establish the 2015 County Board of Equalization meeting on Monday, June 15, 2015, beginning at 2:00 p.m., Commissioners Board Room, Courthouse, Walker, MN. Unanimous.

9. Chairman Gaalswyk adjourned the meeting at 10:22 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator