

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
March 17, 2015**

- 1A. Chairman Gaalswyk convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, March 17, 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
Dave Enblom	Highway Engineer	Kris Lyytinen	Asst. Highway Eng.
Jeff Woodford	Veterans Service Ofcr.	Tom Burch	Sheriff
Kerry Swenson	Emergency Mgmt. Coord.	Kevin Lee	North Memorial
Frank Sherf	MN Dept. of Public Safety	L. Scott Thompson	Sheriff's Office
Rick Wagner	North Memorial	Josh Stevenson	HR/Land Dept.
Jim Johnson	Thunder Lake Twp.	Tom Cox	Arthur's Restaurant
Gail Leverson	Economic Development Corp.	Brad Swanson	Pine River State Bank
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent

- 1B. M/S/P Kangas, Bruns – To approve the agenda items for discussion as presented and the addition of Item 2C.(Letter of support for Beltrami County application for round one of the Safety & Justice Challenge grant) and an addition to consent agenda Item 2A.8 (Notice of retirement of Julie Reimer, County Agency Social Worker). Unanimous.

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

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

Approve - Board Minutes of March 3, 2015.

Approve - Auditor manual warrants dated February, 2015 in the amount of \$889,003.79.

Approve - Auditor warrants dated February 26, 2015 in the amount of \$110,205.14.

Approve - Auditor warrants dated March 5, 2015 in the amount of \$148,626.99.

Receive & file - Monthly Budget Reports.

Approve - HHVS Commissioner warrants dated March 6, 2015 in the amount of \$106,897.96.

Approve - HHVS Auditor warrants dated March 6, 2015 in the amount of \$57,516.52.

Approve personnel items – A. Budgeted positions scheduled for replacement - 1. Receive & file - Notice of appointment of Jennifer Swenson, Case Aide, Grade 20, Step 1 to fill position vacated by Danielle Smith effective February 27, 2015. 2. Receive & file - Notice of appointment of Molly Ratz, Support Enforcement Aide, to Child Support Officer, Grade 22, Step 4 to fill position, vacated by Susan Rinke, effective March 14, 2015 and Receive & file - Notice of intent to fill budgeted Support Enforcement Aide position, Grade 19. 3. Receive & file - Notice of retirement of Julie Reimer, County Agency Social Worker, effective June 30, 2015 and Receive & file - Notice of intent to fill budgeted County Agency Social Worker, Grade 30. B. Positions scheduled for no replacement at this time - none. C. Other - 1. Receive & file - Notice of probation completion for Emily Senta, Community Health Specialist, Grade 21, Step 02, on March 2, 2015. 2. Receive & file - Notice of probation completion for Britany Warren, Eligibility Worker, Grade 22, Step 02, on February 25, 2015.

Approve Licenses – Off Sale Intoxicating - Set Public Hearing - date for Tuesday, April 7, 2015, during the meeting which begins at 9:00 a.m. in the Commissioners Board Room, Courthouse, Walker, MN for Arthur's Restaurant, Arthur's Ten Mile Lake, LLC, 4777 State 371 NW Hackensack, MN 56452 (Birch Lake Township). On Sale Intoxicating including Sunday - Arthur's Restaurant - Arthur's Ten Mile Lake, LLC, Birch Lake. On & Off Sale 3.2 Beer - McArdle's - McArdle's Resort, Inc., Unorganized. Red Wing Lodge - Kyle Benjamin, Turtle Lake. Set-Up - Salty Dog Saloon & Eatery - Thomas Sewal, Powers. Gambling - The Over the Hill Gang ATV Club - Meri Lysne, Crooked Lake, raffles at Granny's in Emily on June 6, 2015, and at Village Inn, Outing, MN on October 3, 2015.

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

Approve - Capital project payments: Mark Beard – Highway Shops upgrades (Inv. #0026) in the amount of \$425.00.

Receive & file - Cass County's 2014 Audit of Enhanced 911 Funds.

Approve - HHVS Purchase of Service contracts from January 1, 2015- December 31, 2015: DHS CY 2015 Adult Mental Health Grants – CSP - \$103,439 for 2015; Child and Teen Check Up Pillager Area Family Council - \$9,000.00; Child and Teen Check Up Pine River/ Backus - \$ 14,703.

Receive & file - Cass County's share of 2014 state sales & use taxes collected on the Leech Lake Reservation - \$117,558.00.

Receive & file – February 2015 Cass County EDC Activity Report.

Approve - Probation Department submission for MN DOC - FY2016-FY2017 Caseload/Workload Reduction Grant continuation in the amount of \$44,364.00(each year).

Approve - Probation Department submission for MN DOC - FY2016-FY2017 Electronic Alcohol Monitoring (REAM) Grant continuation in the amount of \$8,500.00(each year).

M/S/P Downham, Bruns - To award Project #38 - Clark Engineering NTE \$5,840.00, Project # 39 - Kohout Surveying NTE \$3,830.00, Projects 40 & 41 - Stonemark Land Surveying NTE (40) \$10,800.00 and (41) \$5,700.00. Unanimous.

<u>Bidder</u>	<u>Project#38</u> <u>Bungo</u>	<u>Project#39</u> <u>East Gull Lake</u>	<u>Project#40</u> <u>Powers</u>	<u>Project#41</u> <u>N May</u>
Bolton & Menk	\$21,500.00	\$18,950.00	\$44,500.00	\$19,600.00
Stonemark Land Surveying	\$ 7,800.00	\$ 4,100.00	\$10,800.00	\$ 5,700.00
Kohout Surveying	\$18,990.00	\$ 3,830.00	\$14,441.00	\$ 6,445.00
No. Engineering & Consulting, Inc.	\$13,310.00	\$ 7,950.00	\$24,700.00	\$18,450.00
Nyberg Surveying	No Bid	No Bid	No Bid	\$ 5,200.00
Ulteig	\$ 7,750.00	\$ 5,600.00	\$13,250.00	\$ 8,200.00
Widest, Smith & Nolting	No Bid	\$ 4,500.00	No Bid	No Bid
KLJ, Inc.	\$17,185.00	\$ 4,950.00	\$22,750.00	\$ 5,995.00
Clark Engineering Corp.	\$ 5,840.00	\$ 3,900.00	\$16,400.00	\$ 6,300.00

M/S/P Downham, Bruns - To award contract to Superior Forestry Services, Inc for the 2015 planting season of 20,800 trees in the amount of 87.00/thousand seedlings (No other bids submitted). Unanimous.

Approve - USFS permission to burn in the Mudgoose burn on parcel numbers 68-025-1100 and 68-023-3400.

Receive & file - Correspondence from Great River Energy & MN Power's Motley Area 115kV Project.

Approve - HHVS Director to execute HHVS enrollment in BlueCross Blue Shield Blue Plus of MN in becoming a participating provider in Select Behavioral Health (Rule 25).

Receive & file - Information Privacy & Security Agreement and Business Associate Agreement with MN Department of Human Services.

Receive & file - Cass County SWCD Liaison Committee meeting notes Tuesday, March 3, 2015.

- 2B. Administrator Yochum presented a summary of contract negotiations with the AFSCME Local #2195 Health, Human & Veteran Services Unit for calendar years 2015 and 2016. The contract changes are recommended for approval by the Personnel Committee of the Board as a package offer, and the Union has reported that their membership has voted to approve the same as well. Mr. Yochum explained the terms of this contract follow the County pattern bargaining approach of the other four labor contracts recently approved by the Board with the exception of addressing Hours of Work (section 6.3, Subd. 4), a new PRN MOU ("Pro Re Nata" a Latin phrase that translates to "as needed" staff), and termination of a lunch break arbitration case.

M/S/P Downham, Kangas – To approve the package offer as recommended for approval by the Personnel Committee of the Board and authorize execution of a collective bargaining contract as presented for calendar years 2015 and 2016 with the AFSCME Local #2195 Health, Human & Veteran Services Unit. Unanimous.

- 2C. Chairman Gaalswyk recommended a letter of support for a Beltrami County round one application for a Safety & Justice Challenge grant by the John D. and Catherine T. MacArthur Foundation. Administrator Yochum commented that a reciprocal request for Cass County's application is before the Beltrami Board as well. The Board noted the potential regional benefits of both applications.

M/S/P Downham, Peterson – To approve a letter of support for a Beltrami County round one application for a Safety & Justice Challenge grant by the John D. and Catherine T. MacArthur Foundation. Unanimous.

- 3A. Veterans Service Officer Jeff Woodford presented a report of 2014 activities: Veterans Administration expenditures in Cass County totaled \$24,107,000; veteran population 3,347; 1,489 used VA medical; 358 riders travelled 85,571 miles in the County transport program; 2,277 client personal contacts occurred at five scheduled sites (appointments, & walk-ins) & 61 home visits. VSO Woodford also indicated that claims were up 64%. Additional special projects include more media contact and internal record scanning.

M/S/P Downham, Peterson – To receive and file the Veterans Service Office 2014 report. Unanimous.

- 4A. Kevin Lee Manager of the North Memorial Ambulance Brainerd Region presented the 4th quarter 2014 report for the Longville Ambulance Subordinate Service District (LASSD). Rick Wagner the Manager of the North Memorial Ambulance Service Statewide was also in attendance. Mr. Lee informed the Board that the LASSD had paramedic coverage in Longville every day in the 4th Quarter, which exceeds the part time Advanced Life Support requirement. Reported that LASSD year to date has billed 254 patients vs. 249 patients same period last year. The revenues were \$11,009 over budget due to increased volumes and decreased revenue deductions, and expenses were \$37,673 under budget with a margin of 21.2%. Community activities included collaborated with the Cass County EMS Task Force Meetings, attended the Cass County radio users meetings, and began work on the 2015 EMS Task Force Conference. Mr. Lee added that the Brainerd region overall patient satisfaction score for the 4th quarter was 95.6%.

M/S/P Peterson, Bruns – To receive & file the 4th quarter report for the Longville Ambulance Subordinate Service District (LASSD). Unanimous.

- 5A. Highway Engineer David Enblom discussed the February 3, 2015 Ad-Hoc Highway Capital Committee discussion of County right-of-way maintenance policies. The committee recommended that current practices of improvements within the right of way need to be documented and made available to property owners on the County website. In addition, the committee discussed a possible cost share program to mitigate driveway damage as the result of legal ATV use within the right of way. Highway staff has subsequently identified 52 sites on 400 miles of paved County roads that are not grant-in-aid designated trails that have substantial damage. Engineer Enblom reported an offer by property owner Wes Slagle to cost share repair of his driveway approach (materials only) caused by lawful ATV traffic within the CSAH 7 ROW.

M/S/P Peterson, Downham – To approve a pilot cost share project with property owner Wes Slagle to repair driveway approach damage caused by lawful ATV traffic within the CSAH 7 ROW. Unanimous.

- 5B. Engineer Enblom discussed potential limitations to gravel pit operations at the County managed pits (Thunder Lake, Hiram, Fairview). Mr. Enblom stated that the Thunder Lake gravel pit is being planned as a potential aggregate source for projects scheduled to be completed in 2015. Concerns from the lake association and neighbors prompted a request from Thunder Lake Township to consider limitations on crushing hours to 12 hours a day (6am to 6pm) limited to Monday through Friday (no restrictions on contractor operations relating to production of bituminous materials during the construction projects) In addition, neighborhood concerns have been expressed with any expansion of the pit to the south. Mr. Enblom reported that other than reclamation activity saw no need for expansion to the south. Thunder Lake Town Board Supervisor expressed appreciation for cooperation to date and concurred with the limitations requested.

M/S/P Peterson, Downham – To establish the following conditions on gravel pit operations at the County managed Thunder Lake Township pit: 1.) crushing is limited to 12 hours a day (6am to 6pm) and limited to Monday through Friday, 2.) no restrictions on contractor operations relating to production of bituminous materials during the construction projects, and 3.) no expansion to the south except reclamation activity. Unanimous.

- 5C. Mr. Enblom discussed the department's proposal to look at the life cycle costs of paving selected gravel roads vs. present practice of regravelling/chloride. The Board showed interest in more discussion as part of the upcoming update to the County Capital Improvement Plan. No action necessary.

5D. Assistant Highway Engineer Kris Lyytinen discussed the 2015 County road maintenance program that included:

Equipment purchases – Ordered two (2) Mack GU713 plow trucks, a John Deere 6130D tractor with Diamond Flexwing mower and an F550 cab/chassis replacement for truck lost to fire

Road Vacation/Revocation Program - From our original list (started in 2007 – 19.78 miles in 23 townships), still have 2.47 miles in 3 townships remaining, it includes Crooked Lake (Hwy 6 Frontage Road- Outing), Leech Lake (Brown Eagle Rd.) and Lima (C.R. 132 & C.R. 134), No public hearings are planned for this year

Construction Projects – 2015 will finish CSAH 1, reconstruct last section of CSAH 4, overlay remainder of CSAH 65 and CSAH 74, reconstruct CSAH 58 (Outing) and reconstruct CSAH 7 (between TH 84 and CSAH 58) not listed, is CR 129 roadwork and bridge replacement – currently not scheduled as it needs bridge funding (not in place yet)

Crack Sealing - NUVO material (in Styrofoam) 1.5 loads has been delivered – in warehouse, Plans : CSAH 8 - complete route & seal on south end, from Federal Dam to Bena then CR 126, CSAH 39, Sucker Bay Rd.

Roadside Mowing & Spraying – Plan to continue to hire summer help – still looking for someone (Hackensack area), Purchased a JD 6130D with batwing mower – Plan to station in south (Pine River), Issues with first cut? Single mower? Noxious Weeds – Reminder that Wild Parsnip is still very irritating to skin, Roadside spraying is having a great effect and will continue – Possibly earlier, Sprayed extensively last year, Intensive mowing by Turtle Lake Township has not been very effective, Japanese Knotweed (bamboo) on CSAH 1 (east of Pine River) was sprayed and will still require attention

Sign Retroreflectivity Program - Original deadlines have been removed, but need to meet requirements when replaced - Currently have ~85% of signs replaced/upgraded,- Pine River has worked on roads in their area, - Remaining signs (Cass Lake and Longville areas) are made up, if time allows

Striping Program - Centerline road stripes scheduled for CSAH's 2, 5, 7, 13, 33, 36, 38, 44, 60, 75, 78 & C.R. 105

Gravel Program - Updated 5 yr. plan, 2015 projects – Pine River/Pillager Area (25S, 28, 35, 102, 103, 115, 171), prep work needed to shape roads prior to gravel

Gravel Stockpiles - Existing available at Thunder Lake Pit (small pile), Fairview (Laporte), Zubke (small pile), CSAH 49 (Blind Lake), Schnoor Pit, private stockpiles available at – Moondance, Hawkinson, Anderson, Lindmeyer Pits

Chloride Program - Tri City Paving was awarded contract, 2nd year of contract Calcium Chloride @ \$0.946/gallon (~\$2497/mi.)

By consensus, the Board thanked all the Highway Department staff for their ongoing excellent performance and accepted the 2015 Cass County road maintenance program as presented.

6A. Sheriff Tom Burch and Emergency Management Coordinator Kerry Swenson presented the Cass County HHVS & Emergency Management Shelter Plan. Mr. Swenson explained that in the time of a natural or manmade disaster some of our county residents may require emergency sheltering and mass care. Providing temporary emergency relief involves a whole community approach including food, shelter, health care, and mental health support. The plan will: coordinate with the American Red Cross; create a command structure for all resources; provide resources when requested; establish protocols that maximize quick responses.

M/S/P Downham, Peterson – To approve the Cass County HHVS & Emergency Management Shelter Plan as presented. Unanimous.

6B. Mr. Swenson presented the Cass County Hazard Mitigation Plan, the plan has been developed in accordance with requirements set forth in the Disaster Mitigation Act of 2000. Mr. Swenson explained the goals of the Cass County Multi-Jurisdictional Hazard Mitigation Plan are to: Increase community understanding of emergency management and build support for hazard mitigation; Develop, promote, integrate and track mitigation strategies; Continue to improve and enhance the County's emergency management program; Increase the economic stability, core values, and quality of services of the County; Increase mitigation resources to eliminate or minimize harm done to people, property, jobs, and natural resources in Cass County by natural and manmade hazards.

Commissioner Downham offered Resolution No. 14-15 and moved its adoption; Commissioner Peterson seconded:

RESOLUTION FOR APPROVAL OF THE HAZARD MITIGATION PLAN

WHEREAS, the County of Cass has participated in a hazard mitigation planning process as established under the Federal Disaster Mitigation Act of 2000; and

WHEREAS, the consultant Integrated Solutions, under the guidelines established by the Act, has provided a framework for the development and completion of the Cass County Hazard Mitigation Plan; and
WHEREAS, the Federal Disaster Mitigation Act of 2000 and FEMA require communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and
WHEREAS, the plan is a record of the County's potential risks and hazards and commitment to reducing the long-term consequences of natural, human caused and technological hazards; and
WHEREAS, the plan outlines mitigation goals, identifies risk reduction strategies for hazards that threaten the area, and discusses the ongoing risk reduction strategies to be undertaken within the jurisdiction; and
WHEREAS, the plan has been reviewed by members of this Board, staff, and the public; and
WHEREAS, the plan has been approved by FEMA, HSEM

NOW THEREFORE BE IT RESOLVED, that the Cass County's Hazard Mitigation Plan is approved in its entirety, and that the County will pursue available funding opportunities for implementation of the proposals designated therein, will upon receipt of such funding or other necessary resources, seek to implement the actions contained in the mitigation objectives.

Resolution No. 14-15 was adopted by majority vote: Bruns, Downham, Gaalswyk, Kangas, and Peterson. Nays: None.

- 6C. Sheriff Burch discussed an increase in the value of hours inmates work in the sentence to serve program. In the 2014 year end report 102 inmates worked 8,024 hours with a market value of \$82,612.00. \$13,321.00 in fines, and 323 jail days were worked off at a value of hour's rate of \$8.00 an hour. After consulting Judge Austad and Judge Harrington requested Board action to increase the value of hours worked from \$8.00/hour to \$10.00/hour.

M/S/P Downham, Bruns – To approve an increase in the value of hours inmates work in the sentence to serve program to \$10.00/hour. Unanimous.

- 7A. Frank Sherf of the MN Department of Public Safety presented the Cass County Sheriff's Office five PBT's alcohol breath testing devices, as the Cass County Sheriff's Office is one of eight agencies statewide to be recognized as an "Outstanding Agency" in implementing the Toward Zero Deaths enforcement program in the fourth quarter of 2014. Mr. Sherf thanked the Board for supporting the program and special recognition of Sheriff Tom Burch and Lieutenant Scott Thompson. No action necessary.
8. County Administrator Yochum reported that the Leech Lake Band Tribal Council is available to reschedule a joint meeting on April 24, 2015.

M/S/P Bruns, Peterson – To establish a joint meeting with the Leech Lake Band of Ojibwe on Friday, April 24, 2015, beginning at 10:00 a.m., at the Northern Lights Convention Center, Walker, MN. Unanimous.

9. Chairman Gaalswyk adjourned the meeting at 10:45 a.m.

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

ATTEST: _____
Robert H. Yochum
Cass County Administrator