

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
August 4, 2015**

1A. Chairman Gaalswyk convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, August 4, 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
Reno Wells	HHVS Director	Dave Enblom	Highway Engineer
Laura Hadrava	Construction/Design Engineer	Tom Burch	Sheriff
John Ringle	ESD Director	Christopher Strandlie	County Attorney
Melanie Wolfe	HHVS	Michele Piprude	HHVS
Jim Ballenthin	SWCD	Terry Nagorski	28 th Ave. Longville
Jon Saxon	4635 28 th Ave. Longville	Anita Kolkorst	28 th Ave. Longville
Dennis Lilyquist	2571 Hwy. #7 Longville	Doug Carpenter	Self
David Edward	Self	Kurt Dahlen	Self
Marilyn Dahlen	Self	Wayne Richards	Self
Robert Callies	Self	Ruth Edwards	Self
Geraldine Garoutte	Self	Rusty Lilyquist	Self
Todd Elison	Self	Monica Lundquist	Brainerd Dispatch
Gail DeBoer	Pilot Independent	Allan Olson	Cass Lake Times

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

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

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

Approve - Board Minutes of July 21, 2015.

Approve - Auditor warrants dated July 16, 2015 in the amount of \$1,376,847.15.

Approve - Auditor warrants dated July 23, 2015 in the amount of \$438,926.11.

Approve - HHVS Commissioner warrants dated July 24, 2015 in the amount of \$220,473.73.

Approve - HHVS Auditor warrants dated July 24, 2015 in the amount of \$141,537.69.

Approve Personnel Items – A. Budgeted positions scheduled for replacement: 1. Receive & file - Notice of resignation of Susan Yezek, Eligibility Worker, effective August 6, 2015, and receive and file the notice of intent to fill budgeted Eligibility Worker, grade 22. 2. Receive & file - Notice of appointment of Duane Malterud, Public Health Nurse, Grade 32, Step 1 effective July 27, 2015. 3. Receive & file - Notice of appointment of Shannon Wittner, Case Aide, Grade 20, Step 1 effective July 20, 2015. 4. Receive & file – Notice of resignation of Kelly Virden, Legal Secretary, effective on or around August 12, 2015, and notice of intent to fill budgeted Legal Secretary, grade 19. 5. Receive & file – Notice of resignation of Wanda Jensen, Data Entry Clerk – Sheriff’s Office, effective July 2, 2015. 6. Receive & file – Notice of appointment of Lisa Lemke, Data Entry Clerk – Sheriff’s Office, grade 16, step 1, part-time budgeted Records position effective August 5, 2015. 7. Receive & file - Notice of intent to backfill one Jailer and one Deputy position due to extended medical leave. B. Positions scheduled for no replacement at this time. None. C. Other. None.

Approve - Payment from Misc. Expense to the Cass County Social Welfare Fund (client representative payee checking acct. in the amount of \$894.31 due to fraudulent check.

Receive & file - Letter of support of a Vet Center established out of the Bemidji Area from VSO Jeff Woodford.

Accept - Donation of \$850.00 from Sylvan Township for Lakes Area Dive Team.

M/S/P Bruns, Downham – To award a quote for delivering taconite tailings to a washout/mudhole in roadbed of Snowway One trail in Sec. 8 & 17-136-31 (Moose Lake Twp) to Schrupp Excavating in an amount not to exceed \$2,100.00. Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Schrupp Excavating	\$25/yard
Northfork Boulders	\$27/yard

Approve - Appointment of Cass County HRA Director Scott Wilson to the BI-CAP Board of Directors (as an alternate to a Cass County Board member).

Authorize - Payments to Oberg Fence Co. Invoice#2865 in the amount of \$4,160.00 – Fencing at Pine River & Hackensack Highway Shops (source of funds from Capital Fund – Garages & Capital Outlay Bldgs.).

Receive & file - HHVS Purchase of Service contracts from Jan. 1, 2015 through Dec. 31, 2017 State of MN amendment to C&TC Grant Contract #85944 - \$94,658.

Refer - Kitchigami Regional Library 2016 budget request to the Citizen Budget Committee.

Receive & file - Kitchigami Regional Library financial statement ending December 31, 2014.

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

Approve - Use of Conservation Fund #73 for Christmas Point Trail relocation in the amount of \$8,450.00 to Anderson Brothers Construction.

Approve - ESD to enter into a subcontract with EOR (Emmons and Oliver Resources) for consultation in the final Phase III of the LLR WRAPS report not to exceed \$10,548.00.

Approve - Resolution No. 31-15 - Sheriff's Office Toward Zero Death Grant from October 1, 2015 – September 30, 2016 in the amount of \$54,645.00 – MN Public Safety.

Commissioner Bruns offered Resolution No. 31-15 and moved its adoption, Commissioner Downham seconded:

Be it resolved that the Cass County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, for the traffic safety enforcement projects during the period from October 1, 2015 through September 30, 2016, in the grant amount of \$54,645.00, and

Be it resolved that Lieutenant L. Scott Thompson of Cass County is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Cass County Sheriff's Office, and

Be it further resolved that the Cass County Sheriff's Office designated Administrative Assistant is hereby authorized to be the fiscal agent and administer this grant on behalf of the Cass County Sheriff's Office.

Resolution No. 31-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

Approve - National Joint Powers Alliance proposal to assist Region 5 MNDHS Mental Health Initiatives with establishment of a Regional Service Contract Manager.

M/S/P Bruns, Downham – To award a contract to Ruyak Enterprise, Inc. for replacement of 2 – culverts on Soo Line Trail SE of Remer (Sec. 21-141-25 Lima Twp.). Unanimous.

<u>Bidder</u>	<u>Bid Amount</u>
Ruyak Enterprises, Inc.	\$13,158.00
T&C Excavating	\$16,000.00

Approve - Distribution of 2015 State "In Lieu" Payment of \$1,296,169.26 and "Wild Management Lands" distribution of \$146,611.50.

Approve - Assessor's Office Abatements - 2015 Nora Bolstad, Ponto Lake, 32-403-0781 correct to show exclusion, current - \$2,464.00, proposed - \$818.00, Tax change - (\$1,646.00).

Approve - Submission of grant application for Victim Services in the amount of \$68,800 to the Dept. of Public Safety Office of Justice Programs.

Approve - Resolution No. 32-15 requesting State Disaster Assistance under MN Statute 12B.

Commissioner Bruns offered Resolution No. 32-15 and moved its adoption, Commissioner Downham seconded:

RESOLUTION REQUESTING STATE DISASTER ASSISTANCE UNDER MN STATUTE 12B

WHEREAS, the County of Cass, was impacted by straight line winds on July 12, 2015, and
WHEREAS, the winds caused severe damages to the Cass County communities of East Gull Lake, Lake Shore, Fairview and Sylvan Townships, and
WHEREAS, the County of Cass declared a local emergency on July 14, 2015 in response to the disaster, and
WHEREAS, the County of Cass submitted a Damage and Impact Assessment Report to Minnesota Homeland Security and Emergency Management (HSEM), and
WHEREAS, The County of Cass and HSEM conducted a Preliminary Damage Assessment in the Cities of East Gull Lake, Lake Shore, Fairview and Sylvan Townships which revealed eligible public infrastructure costs and damages, as a result of the winds, which exceed 50% of Cass County's federal damage indicator.
NOW, THEREFORE, BE IT RESOLVED by the County Board of Cass County, Minnesota, that the County Board requests state public disaster assistance in accordance with Minnesota Statute 12B.30.

Resolution No. 32-15 was adopted by majority vote: Ayes: Bruns, Downham, Gaalswyk, Kangas, Peterson. Nays: None.

Receive & file Timber auction results of Thursday, July 30, 2015 - 8,380.00 cords plus 21.70 mbf saw timber totaling \$223,466.65.

- 3A. ESD Director John Ringle explained a Cass County Planning Commission recommendation regarding siting of land application septage sites. Mr. Ringle presented a report stating that there are currently 68 septage disposal sites throughout the County, 25 of which are currently active, 2 of the 25 are municipal wastewater facilities at East Gull Lake and Cass Lake, 4 of the 25 active sites are in the shoreland zone. After several meetings the Planning Commission unanimously recommends to the Board approval of an ESD Department policy that informs applicants and staff of the criteria for siting new septage application sites. Trelpe Township property owner Terry Nagorski expressed neighborhood concerns related to the site owned by Rusty Lilyquist. Director Ringle summarized the history of the Trelpe Township site owned by Rusty Lilyquist and noted that the policy draft references to "preapproving" should be amended to "approving" new sites. Property owner Rusty Lilyquist invited Commissioner Peterson to discuss future alternatives.

M/S/P Peterson, Bruns - To accept the Planning Commission recommendation by approving the ESD Department policy as amended effective August 4, 2015 that informs applicants and staff of the criteria for siting new septage application sites, and respectfully requesting property owner Rusty Lilyquist to discontinue land application of septage on his site. Unanimous.

- 3B. ESD Director John Ringle presented the second quarter (1st half) planning and zoning activity report for 2015. First half revenue on zoning actions was up 60% over last year (\$ 67,529) at \$ 178,907 in this year's first half, versus \$111,733 in the first half of 2014. 747 zoning actions took place in this year's first half versus 509 actions in last year's first half, with the department has not experienced activity levels like this since 2007. Mr. Ringle added that shoreland alteration permits are significantly higher this year due to extensive shoreline damage caused by ice heaving, and the number of conditional use permits and variances are very similar to last year, also with an early spring and relatively dry start to the summer have improved building activity and septic construction. Additionally, The ESD Department has been working with the Cass County Sheriff's Dept., with ESD facilitating 3 junk and garbage cleanups (abatement projects) in three townships in the second quarter.

M/S/P Peterson, Downham – To receive & file the 2015 second quarter ESD Planning and Zoning Activity Report. Unanimous.

- 4A. Highway Engineer David Enblom informed the Board that the Leech Lake Band of Ojibwe is planning on making improvements to City of Bena streets and included in the project is Unorganized Township Road #140. Mr. Enblom also reported that a survey is underway, that the project design is scheduled for 2016, and construction contemplated in 2017 or 2018. Mr. Enblom explained the benefits of road authority coordination with the Leech Lake Band of Ojibwe. No action necessary.

- 4B. Doug Carpenter requested that the Board locate and record County Road #140 in the City of Bena. The Board noted that as just reported by the County Engineer a survey is underway. Mr. Carpenter stated that Unorganized Township Road #140 is really County Road #140 and has not been properly transferred to the Unorganized Township pursuant to MN Statutes 163.11. No action taken.
- 4C. Construction Design Engineer Laura Hadrava discussed a meeting with the City of Walker Public Works Committee on July 22, 2015. Ms. Hadrava explained that staff is coordinating the courthouse parking lot design with the City who are proposing to reconstruct Michigan Avenue and Fourth Street (both adjacent to the Courthouse campus) in 2016. In addition progress is being made for a joint City/County project on municipal state aid Fifth Street (currently in the Capital Improvement Plan for 2016). No action necessary.
- 5A. Chief Financial Officer Larry Wolfe discussed the 2015 county surplus auction options that included utilizing an online auction service due to the reduction of vehicles and county surplus.
- M/S/P Peterson, Downham – To cancel the annual Cass County live auction, to authorize utilizing the online auction service of McLaughlin Auctioneers Mc.Bid.Com of Dilworth, MN after placing notices of the same on the Cass County Website and area newspapers, as well as notifying Cass County Cities and Townships. Unanimous.
- 5B. Sheriff Tom Burch requested Board authorization for the sale of 3 to 4 excess boats. The Sheriff's Office has received the boats from a seizure and by donations. Mr. Burch added that specification sheets will be distributed to area marinas and requesting bids will be placed in area newspapers.
- M/S/P Downham, Bruns – To authorize advertisement of the Sheriff's Office excess boats to local marinas and area newspapers requesting for bids. Unanimous.
- 6A. HHVS Director Reno Wells presented a vulnerable children/adult 2015 & 2016 plan amendment for child protection as required by the Laws of 2015. Mr. Wells discussed recent hiring trends throughout the State and Cass County out of home placement financial trends.
- M/S/P Kangas, Gaalswyk – To approve the 2015 & 2016 vulnerable children and adult plan amendment for child protection as presented. Unanimous.
- 7A. County Administrator Yochum discussed upcoming meetings including: a. Commissioners Regular Board Meeting on Tuesday, August 18, 2015, beginning at 6:00 p.m. at the Leech Lake Township 10010 Rifle Range Dr. NW, Laporte, MN.
- 7B. M/S/P Downham, Bruns – To approve Board attendance at the AMC Fall Policy Committee Meeting, September 17-18, 2015, Breezy Point Resort, 9252 Breezy Point Drive, Pequot Lakes, MN. Unanimous.
8. Chairman Gaalswyk adjourned the meeting at 10:25 a.m.

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

ATTEST: _____
 Robert H. Yochum
 Cass County Administrator