

**TRANSCRIPT AND REPORT OF PROCEEDINGS  
CASS COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CASS  
January 5, 2010**

- 1A. Chairman Kangas convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, January 5, 2010, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Demgen, Downham, Dowson, 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
Sharon Anderson	Auditor-Treasurer	John Sumption	ESD
John Ringle	ESD Director	Ane Rogers	HHVS Director
Melanie Wolfe	HHVS	Randy Carlson	HHVS
Renee Lukkason	HHVS	Paul Fairbanks	ESD
Randy Fisher	Sheriff	Erick Hoglund	Sheriff's Office
Shari Splichal	Auditor-Treas. Ofc.	Josh Stevenson	Land Commissioner
Mike Wetzal	Self	Christopher Strandlie	County Attorney
Diane Chmielewski	Pilot-Independent	Joe Sherman	Pilot-Independent
Rachelle Fuller	Court Administration	Gail Leverson	Cass Co. EDC
Jim Ballenthin	SWCD Board	John Fjelstul	City of Walker
Gary Wilkening	City of Walker	Jim Gerchy	Eelpout Festival
Gail DeBoer	Pilot-Independent	Allan Olson	Cass Lake Times

- 1B. Chairman Kangas requested Robert Yochum, Clerk to the Board, to conduct an election for the 2010 Vice Chair, and 2010 Chair of the Cass County Board of Commissioners. Mr. Yochum called for nominations.

M/S/P Demgen, Peterson - To nominate and cast a unanimous ballot for Commissioner Dowson to serve as the Vice Chair of the Cass County Board of Commissioners for the year 2010. Unanimous.

M/S/P Downham, Dowson - To nominate and cast a unanimous ballot for Commissioner Demgen to serve as the Chairman of the Cass County Board of Commissioners for the year 2010. Unanimous.

Commissioner Demgen assumed the position of presiding officer and the Board seated itself in succession to the Chairman of the Board.

- 1C. M/S/P Kangas, Dowson - To approve the agenda items for discussion as presented and move Item 6A27. to Item 4C. (Approve resolution of support for the Leech Lake Fishing Management Plan). Unanimous.

2. MN State Representative (District 4B), Larry Howes, and MN State Senator (District 4), Mary Olson, were present to discuss the upcoming MN Legislative Session. Administrator Yochum presented a list of local legislative priorities and a summary of the 2009-2010 Association of MN Counties (AMC) policy positions. The MN State delegation stressed the need for ongoing contact with the Board of Commissioners during legislative sessions and the 2010 State budget trends. The Board thanked Representative Howes and Senator Olson for their comments. No action necessary.

- 3A. HHVS Director Ane Rogers presented the Child Placement Costs for November 2009 in the amount of \$ 178,175.

M/S/P Kangas, Peterson - To receive & file the Child Placement Costs for November 2009 in the amount of \$ 178,175. Unanimous.

Ms. Rogers also introduced the recently appointed HHVS Family Health Supervisor Renee Lukkason to the Board.

- 3B. Randy Carlson of the HHVS Children's Unit summarized the Truancy Program trends from 2001 to date. Mr. Carlson reported that truant supervision has decreased from a high in 2004 of 223 to a low of 49 in 2009 year to date. Mr. Carlson commented that the program works and has a reputation of success. A portion of the funding for the program is provided by a State grant scheduled to continue through 12/13/11.

M/S/P Kangas, Peterson - To receive & file the Cass County Truancy Program Report, and further to commend Mr. Carlson for a job well done. Unanimous.

- 4A. Jim Ballenthin, SWCD Chair, commented on recent Soil and Water Conservation District activities including a cooperation study with the Beltrami, Cass, and Crow Wing SWCDs, and adoption of Cass SWCD policy positions by the State Board (no net loss of public lands and a RIM type proposal for private forest management). Mr. Ballenthin requested Board action to approve the SWCD Board recommendations to re-appoint Ken Laporte as the Cass County delegate to the WesMin Resource Conservation & Development Council, and to re-appoint Jim Ballenthin as the SWCD representative to the 2010 Cass County Planning Commission.

M/S/P Kangas, Dowson – To approve the re-appointment of Ken Laporte to the WesMin Resource Conservation and Development Council and approve the re-appointment of Jim Ballenthin as the SWCD representative to the 2010 Cass County Planning Commission. Unanimous.

- 4B. John Sumption presented the update to the Cass County Comprehensive Plan and requested Board approval to print and distribute 100 copies of the Comprehensive Plan.

M/S/P Dowson, Downham – To receive & file the updated Cass County Comprehensive Plan, to approve printing/distribution of 100 copies of the plan and to direct the ESD staff to place the plan on the Cass County website. Unanimous.

- 4C. Joe Sherman requested the Board to support the Leech Lake Fishing Task Force Management Plan – defining management of the walleye fishery on Leech Lake. By consensus, the Board indicated their support of local fishery management plans, however, re-affirmed that Cass County does not have the internal resources to evaluate fish management plans. The Board encouraged the Leech Lake Fishing Task Force to continue coordination with the MN DNR utilizing their expertise. No action taken.

- 5A. Land Commissioner Josh Stevenson reported to the Board that each of the two proposals submitted for Lessard-Sam Outdoor Heritage Funds are being recommended by the review panel for funding in 2010. A project for restoring pine habitat in the Silver/Carnahan Lake Area is being recommended for funding in the amount of \$51,872, and a project for purchasing approximately 400 acres of Pottlatch land that provides public access to 1200 acres of adjacent public land is being recommended for funding in the amount of \$594,000. The Board thanked Mr. Stevenson for the update and congratulated him on the successful applications. No action necessary until review by the MN Legislature.

- 5B. Mr. Stevenson presented a correspondence from Minnesota Power (Division of Allete, Inc.) requesting a new easement (#10-00-000-00-00) over County Administered Land which is currently held by Square Butte Electric Cooperative and added that both entities have agreed to the new easement. Due to the size of the easement, MN Power has asked for more time to complete the required Certificate of Survey (five years). Mr. Stevenson added that using the descriptions within the existing easement and the current method of calculating fees from the Commercial Easement Policy, it is estimated that the fee would be \$28,010.00 per year.

M/S/P Dowson, Downham – To approve the Minnesota Power (Division of Allete, Inc.) easement (#10-00-000-00-00) over State deeded County administered land pursuant to the current Commercial Easement Policy and allowing up to five years to complete the required Certificate of Survey. Ayes: Demgen, Downham, Dowson, Peterson. Nays: None. Abstain: Kangas (family member works for MN Power).

- 6A. Robert Yochum presented the Board the following matters:

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

Approve - Board Minutes of December 15, 2009.

Approve - Auditor warrants dated December 17, 2009 in the amount of \$372,734.58.

Approve - HHVS Commissioner warrants dated December 18, 2009 in the amount of \$311,563.11.

Approve - HHVS Auditor warrants dated December 18, 2009 in the amount of \$79,457.59.

Approve - Auditor warrants dated December 23, 2009 in the amount of \$238,008.48.

Approve Personnel items – A. Budgeted positions scheduled for replacement - Receive and file - Appointment of Renee Lukkason, Public Health Nurse, as Family Health Supervisor, grade 35, step 8, effective January 11, 2010, and notice of intent to fill the budgeted public health nurse position vacated by Renee Lukkason, Family Health Unit. B. Positions scheduled for no replacement - 1. Receive & file - Land Department request to eliminate a Forest Resource Manager position, and authorize lay off notice to Mark Sprague, grade 28, effective January 22, 2010.

Approve licenses – On & Off Sale 3.2 Beer - Salty Dog Saloon - Thomas Sewall, Powers; McArdle's - McArdle's Resort Inc, Unorganized. On Sale 3.2 Beer - Hunt's Point Sportsman's Club, James Wills, Homebrook.

M/S/P Dowson, Kangas - To approve and authorize recording of the annual Employee Dishonesty and Faithful Performance Bond in the amount of \$50,000.00, and to further define employee to include the following Cass County Officials and any successor of such official: Assessor, Attorney, Auditor-Treasurer and Deputies, County Commissioners, County Recorder and Registrar of Titles, Highway Engineer, Health, Human, & Veteran Services Director, Sheriff and Surveyor. Unanimous.

Receive & file - Timber auction results of December 23, 2009 totaling 8,598.00 cords plus 40.000mbf saw timber totaling \$178,922.00.

M/S/P Dowson, Kangas - To approve the 2010 standard mileage rate change to .50¢ for miles driven from January 1, 2010 through December 31, 2010, adjusted rate (County department vehicle available and not used) .25¢ per mile. Unanimous.

Approve – Resolution No.01-10annual resolution appointing the Cass County Screening Team for Out-of-Home Placements.

Commissioner Dowson offered Resolution No. 01-10 and moved its adoption; Commissioner Kangas seconded:

#### Establishing A Cass County Screening Team for Out-of Home Placements

WHEREAS, The out-of-home placement of children is an interdisciplinary, and multi-jurisdictional process, and  
WHEREAS, Coordination of all available resources is necessary to benefit affected families, and the interests of the public at large, and  
WHEREAS, County Boards of Commissioners bear part of the responsibility to effectively administer related Federal, and State Law.

NOW THEREFORE, BE IT RESOLVED,

1. That the County of Cass hereby establishes the 2010 Cass County Screening Team:
  - a. Probation Director – Reno Wells (Chair)

- b. Health, Human, and Veterans Service Director – Ane Rogers
  - c. Leech Lake Band Appointee
  - d. Mental Health Professional – Karen Holle
  - e. Guardian Ad Litem – Vicky Pavlacky or designee
  - f. County Board Member appointee – Jeff Peterson
  - g. County Attorney – Christopher Strandlie or designee
  - h. Cass County Sheriff – Randy Fisher or designee
  - i. Cass County Social Worker (to be appointed on a quarterly, rotational basis by HHVS Director)
2. That the County of Cass hereby assigns all applicable administrative authority for the out-of-home-placement of children to the Cass County Screening Team.
  3. That the Cass County Screening Team shall submit a status report at least annually to the Board of Commissioners and the District Court.
  4. That this resolution is effective upon its adoption.

Resolution No. 01-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

Approve - Pay request #M07-597 for AGC Re-Use Project to Industrial Hygiene Services Corp. in the amount of \$810.61(capital fund).

Receive and file - Monthly HHVS Cash Accounts Report to date, November 30, 2009 in the amount of \$6,766,720.

Approve - HHVS 2010 Purchase of service agreements for outpatient mental health services.

Approve - HHVS 2010 Purchase of service agreement for case management supervision/consultation.

Approve - HHVS 2010 Agreements for purchase of services for home based mental health services/in-home family counseling.

Approve - HHVS Grant Agreement for the Youth Intervention Program Grant #2010-YIP-00408- Minnesota Department of Public Safety effective 1/01/2010 to 12/31/2011 in the amount of \$82,029.

Approve - HHVS 2010 Home and Community Services non-financial contract for January 1, 2010-December 31, 2010.

Approve - Pay request #14 for AGC Re-Use Project to Landwehr Construction Inc. in the amount of \$125,978.08 (capital fund).

Approve - Pay request #15 for AGC Re-Use Project to Landwehr Construction Inc. in the amount of \$5,351.35 (capital fund).

Approve - Change Order # 15 in add amount of \$56,630.00(excavation of buried debris and for removing and disposing of ACM contaminated soils, placing of rock barrier, and regrading backslope) for AGC Re-Use Project to Landwehr Construction Inc. (capital fund).

Approve - Cass County 4-H Program community service project to plant spruce trees at the Pine River Government Center.

Receive & file - Correspondence from Planning Commission regarding Phase I Archeological Report (Board action of October 20, 2009).

Approve - County Administrator signature for 2010 Natural Resource Block Grant annual agreement from BWSR in the amount of \$77,569.00.

Approve - Assessor's Office Abatements - Neal Hofius – Fairview, Property Damage 2008/2009.

Accept - Local match (donation) of \$133,546.55 from the Deep Portage Foundation for the Biomass Heating project.

Approve - Payroll documentation procedure effective January 5, 2010.

Authorize - Energy Efficiency Conservation Block Grant application for potential energy savings project – Department of Commerce.

- 6B. Administrator Yochum presented Resolution No. 02-10 establishing the 2010 Conduct of Meetings – Business Rules.

Commissioner Peterson offered Resolution No. 02-10 and moved its adoption, Commissioner Downham seconded:

WHEREAS, the County of Cass annually reviews and adopts rules of procedure governing the conduct of Cass County Board of Commissioner's meetings.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the attached "County Board Meeting Rules of Business" marked Exhibit "A" are hereby adopted.

Adopted: January 5, 2010

EXHIBIT "A"

#### COUNTY BOARD MEETING RULES OF BUSINESS

Rule 1. Regular Meetings. The Board shall hold regular meetings on the first and third Tuesday of each month.

Regular meetings shall commence at 9:00 A.M. at the Cass County Courthouse for the first Tuesday of the month and 9:00 A.M. at the Land Department Building, Backus MN for the third Tuesday of the month except the regular meetings from May through September shall be scheduled during 2010 at various locations throughout the Board of Commissioner Districts and shall commence at 6:00 P.M. (January 4, 2005 amendment) (January 2, 2007 amendment).

Rule 2. Special Meetings. The Chair or three members of the Board may call special meetings. Such meetings shall be called with a twelve hour advance notice to all available Board members and members of the news media. If time will allow, published notice in the official newspaper shall be given to the public.

Notwithstanding any other requirements, notice shall be published on the County Courthouse bulletin board. Either or both notice shall specify: (1) the specific item or items to be considered at the special meeting, and (2) the date, time, and place of the meeting. Special meetings of the County shall be held in the County Courthouse, unless the Board has determined that other facilities are to be used. All specials meetings of the Board shall be limited to the specific item or items set forth in the notice.

Rule 3. Presiding Officer. Roll Call. The Board Chair, or in the Board Chair's absence, the Vice Chair of the Board shall take the chair at the time appointed for the meeting and call the Board to order. The Board Chair or Vice Chair calling the meeting to order shall be the Presiding Officer for the balance of the meeting.

Rule 4. Quorum. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board Chair shall be a member of the Board, and shall have the right to vote on all matters coming before it, but shall have no veto power.

Rule 5. Minutes. The Administrator shall prepare written copies of the minutes of the preceding meeting of the Board of Commissioners and distribute them to its members no later than the start of its current session. One or more copies of the minutes shall be available in the Office of the Administrator for examination by members of the public. Upon the appearance of a quorum at a Commissioners Board Meeting, the Board Chair shall inquire of the Board whether they wish to approve, disapprove, or amend the minutes of the previous meeting of the Board of Commissioners as prepared by the Administrator. Any mistake or omission in the minutes may then be corrected by the Board.

Rule 6. Order of Business. The Board Chair or Vice Chair of the Board shall preserve order and decorum. The Administrator shall act as parliamentarian and the Board Chair shall decide questions of order, subject to an appeal to the Board. The Administrator shall prepare a written agenda in advance of all board meetings and shall place Call to Order as Item No. 1; and thereafter other items of business in the order of presentation which the Administrator deems best or as directed by the Board of Commissioners. Members of the public or County staff wishing to place an item of business upon the agenda shall advise the Administrator of the particular item of business not later than Tuesday immediately preceding the Board meeting. The Administrator shall release the proposed agenda not later than the Wednesday immediately preceding the Board Meeting. Further, the Administrator shall release the Board information packet not later than the Thursday immediately preceding the Board Meeting. (January 8, 2008 amendment)

A person requesting that an item be placed on the agenda shall furnish sufficient details so as to enable the Administrator to enter the item on the board meeting agenda in a summary adequate to alert the public as to the nature of the matter to be discussed. If the Administrator is unable, from the information received, to prepare a summary, the Administrator may refuse to place the matter on the agenda.

The Board by majority vote may amend the proposed agenda. After approval of the proposed agenda no amendments will be made except upon a 4/5th vote of the Board.

A citizen comment period will be provided during the regular board meetings which will allow citizens to address the Commissioners for up to three minutes about a topic that is not on the agenda. In order to use the citizen comment period, the individual must sign up before the Board approves the proposed meeting agenda. The Board of Commissioners may take action on subjects brought up during the citizen comment period. (January 3, 2006 amendment).

Rule 7. Recognition by Chair. Every Board member or member of the public shall respectfully address the Chair by the appellation of "Mr. Chairman" or "Madame Chair", and shall not speak further until recognized the Chair. Once a member of the audience has been recognized by the chair as requesting to address the Board of Commissioners, the Chair shall require the individual to identify themselves by stating their name and address.

Rule 8. Designation by Chair. When two or more members request to speak, the Chair or Presiding Officer shall designate who is first to speak, but in all cases the member who shall first address the Chair shall speak first.

Rule 9. Debated Motion. No ordinary motion shall be debated, or put, unless the same is seconded by a board member (or the chair). (Amended on March 20, 2001). The Chair or Presiding Officer shall restate any motion if requested to do so by a member of the Board of Commissioners. Items on the agenda may be debated prior to the submission of an ordinary motion. The withdrawal of either the motion or the second to a motion shall terminate debate on the motion. (January 6, 2009 amendment).

Rule 10. Motion Being Debated. Privileged Motion. When a question is under debate, no motion shall be received other than the following privileged motions: a) to lay on the table; b) to divide the question; c) to postpone indefinitely; d) to postpone to a certain day; e) to refer; f) to adjourn. The privileged motion shall have precedence in the order in which they are arranged. All privileged questions shall be decided immediately without debate. A Board member may make a negative motion to defeat a resolution or ordinance. This "objection to the consideration" of the matter is considered a privileged motion and requires a second, and must pass by a simple majority. If no motion is made on an item, the matter automatically dies or does not pass. (January 6, 2009 amendment).

Rule 11. Presentment of Petitions and Communication. Petitions and communications on the agenda may be presented by a member of the Board or by the Administrator.

Rule 12. Voting. Excuse. Failure. When a question is put by the Chair, every member present shall vote; unless the Board, for special reason, shall excuse a member prior to the calling of the roll or a legal conflict of interest prohibits a member voting. Any member, who being present when his or her name is called fails to vote upon any then pending proposition, unless previously excused by the Board, shall be counted as having voted in the positive. In all cases, the call of the roll shall be alphabetically by the family surname of each Board member except that the Chairman or Presiding Office shall vote last.

Rule 13. Calling Vote. The ayes and nays shall be called upon the passage of ordinances. Unless a member requests, other items will be by voice vote. When a vote is called for and a Board member is silent, the Board member will be recorded as voting in the affirmative on the question. A member may demand a roll call vote at any time prior to the assumption of other business.

Rule 14. Ordinances. Procedure – Requests for consideration of an ordinance or ordinance amendment shall be submitted in writing to the County Board. Every proposed ordinance shall be considered at two public hearings referred to as first reading and second reading. Requests related to land use shall be referred by motion of the County Board to the Planning Commission for the purpose of conducting the first reading

public hearing and adopting a singular recommendation for submittal to the County Board. The County Board will conduct the first reading public hearing in all other matters. Any ordinance drafts referred by the Board to the Planning Commission or others shall be posted on the Cass County website; and written notice of a 30 day comment period for all proposed ordinances or amendments thereto shall be provided to all county departments, all municipalities in Cass County, adjacent counties, the Leech Lake Band of Ojibwe, the Minnesota Departments of Natural Resources and Transportation, the Mississippi Headwaters Board, and any individual, agency or organization requesting such notice. All proposed ordinances or amendment thereto shall be posted on the Cass County website for viewing. Within 60 days of the close of the comment period the first reading public hearing shall be held. Written notice of time, place and purpose of the public hearings shall be published in the official County newspaper designated by the Board and posted on the County website at least ten (10) days prior to the hearing date. Amendments may be offered at either first or second reading public hearings when the ordinance is under consideration, however shall not be acted upon until the next regular meeting. If amendments are made, the sections of the ordinance amended shall be read as amended before the question of its passage is taken. Approval of the second reading of the ordinance shall constitute final adoption of all ordinances. When a proposed ordinance fails to pass, a motion to reconsider the same may be made, but such motion must be made at the session at which the same failed to pass and action thereupon shall be postponed to the next regular session. (May 3, 2005 amendment) (February 19, 2008 amendment).

Rule 15. Absent Member. Every member of the Board which anticipates being absent for a Board Meeting shall notify the Administrator.

Rule 16. Journal. It shall be the duty of the Administrator to keep the journal of the proceedings of the Board and perform such duties as may be required by the Board of Commissioners. The Administrator shall not allow the official journal of the County to be taken from the custody of the Administrator without the knowledge and consent of the Board. Audio taping or video taping of the board meetings may be made for reference by the Administrator, but approved minutes shall be the official record of board meetings.

Rule 17. Robert's Rules of Order. The rules of parliamentary practice, embraced in Robert's Rules of Order shall govern the Board in all cases in which they are applicable, and in which they not inconsistent with State Statute or the Standing Rules of the Board.

Rule 18. Board Committees. Any member of a Board Committee may call a committee meeting. Committee meetings shall be called with a 24-hour advance notice to all members, posted at the courthouse, and time permitting public notice provided on the "web site". Items to be studied by a Board Committee shall be those items contained in the notice and any other item may be presented that is within the scope of the Committee's description. Committees shall report to the Board of Commissioners within 90 days after the item has been referred to committee. The Board shall then act on the item referred or request the Committee to continue the study. (January 16, 2007 amendment)

Rule 19. Suspension or Amendment of Rules. No rule of the Board shall be suspended, altered, or rescinded except upon the affirmation vote of four members of the Board, unless notice of such change shall have been given at a previous meeting in which case only a majority shall be required.

Rule 20. Publication of Minutes. The regular Board of Commissioners Meeting minute summary shall be published in the official county newspaper so as to provide the public with timely and accurate notice of the regular County Commissioners Board Meeting action.

Rule 21. Agenda is Public. Any member of the public or the news media requesting copies of any regular or special meeting agenda shall be provided the same pursuant to M.S. 13D. (January 8, 2008 amendment)

Rule 22. Board Appointments. In effort to maximize citizen participation in County government, all citizen appointments by the Board of Commissioners shall be subject to term limits. No reappointment shall be considered for any individual that has served three (3) consecutive terms or nine (9) consecutive years, whichever is more. In the event that no qualified successor is available for appointment, the term limit may be waived by the Board in one (1) year increments until a successor is appointed. (January 16, 2007 amendment)

Rule 23. Room Rental Payments. No rental payments shall be made for the use of space utilized for meetings of Cass County without specific approval of the Board. (January 2, 2007 amendment)

THESE RULES SHALL TAKE EFFECT and be in force from and after their adoption by the Board of Commissioners, and any and all prior rules are hereby rescinded.

Resolution No. 02-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 6C. Robert Yochum, County Administrator presented the Affidavit of Publication for the annual printing and publishing bids. Bids were received from the Press Citizen, Pine River Journal, and the Pilot Independent on Tuesday, December 22, 2009 as a result of the public solicitation.

	<u>Pilot-Independent (per 1.8"SAU)</u>	<u>Press Citizen (per 1.8"SAU)</u>	<u>Pine River Journal (per 1.8"SAU)</u>
Financial Statement	\$4.00 Camera ready	\$8.48 Camera ready	\$7.20 Camera ready
Financial Statement (2 <sup>nd</sup> insertion)	\$3.78 Camera ready	\$7.42 Camera ready	6.95 Camera ready
Delinquent Tax List	\$4.22 Camera ready	\$8.48 Camera ready	\$7.20 Camera ready
Expiration of Redemption	\$4.22 Camera ready	\$8.48 Camera ready	\$7.20 Camera ready
Proceedings (Summary)	\$3.20 Camera ready	\$8.48 Camera ready	\$7.20 Camera ready
Legal Notices	\$3.86 Camera ready	\$8.48 Camera ready	\$7.20 Camera ready
Additional Publication's	\$3.78 Camera ready	\$7.42 Camera ready	\$6.95 Camera ready

Commissioner Kangas offered Resolution No. 03-10 and moved its adoption, Commissioner Peterson seconded:

BE IT RESOLVED, the Cass County Board of Commissioners hereby accepts the low bid for 2010 county printing and publishing of the Pilot Independent, for items as specified: Item 1. - Financial Statement, Item 3. - Delinquent Real Estate Tax List, Item 4. - Notice of Expiration of

Redemption, Item 5. - Summary of Proceedings of the County Board, Item 6. - Legal Notices, and Item 7 - Legal Notices-Additional Publications. 8. On Line Services.

BE IT RESOLVED, and that the Cass County Board of Commissioners hereby accepts the low bid for 2010 county printing and publishing of Item 2. - Second Publication of Financial Statement to the Echo Publishing & Printing – Pine River Journal

BE IT FURTHER RESOLVED that the Pilot Independent is hereby designated by the Cass County Board as the "official newspaper" in which the notice and list of the real estate remaining delinquent on the first Monday of January, 2010, shall be published.

Resolution No. 03-10 was adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 6D. Administrator Yochum presented a draft list of 2010 Board Committee appointments discussed by the Board at the December 30, 2009 Special Board Meeting.

M/S/P Kangas, Peterson – To approve the following 2010 Board Committee appointments, and further, present Certificates of Appreciation to those that were not re-appointed. Unanimous.

AMC Delegates (8 voting) - All County Board Members (5); Robert Yochum; Sharon K. Anderson; Dave Enblom  
BACKUS AIRPORT ZONING BOARD – Two Planning Commission members - Open - request Planning Commission nominations  
BI-COUNTY CAP - Board Member - Dick Downham; Citizen – Karen Lego; Citizen – Vicki Peterson  
BRAINERD LAKES REGIONAL BUSINESS COUNCIL – Jim Demgen  
BUDGET COMMITTEE - Jim Demgen, Dick Downham; District 1 – Earl North; District 2 – Gary Gould; District 3 – Dan Meier; District 4 – Jim Lohr; District 5 - Rick Baird; Staff advisors, non-voting - Robert Yochum, Larry Wolfe, Steve Kuha, Sharon K. Anderson, Karen Flier  
CAPITAL IMPROVEMENT COMMITTEE OF THE BOARD - Jeff Peterson, Jim Dowson  
CAMP RIPLEY ADVISORY BOARD – Jim Demgen  
CENTRAL MN COUNCIL ON AGING – Jeff Peterson  
CENTRAL MN EMS REGION: Jeff Peterson (Executive Board), Jim Dowson (alternate); Bill Bernhjelm (Advisory Board), Bonnie Jepson (alternate)  
CIVIL SERVICE COMMISSION -Steven Johnson; Buford Johnson; Dennis Paulson  
COUNTY EXTENSION COMMITTEE - Jeff Peterson, Bob Kangas; Thelma Grimley (replaces Auditor-Treasurer as Committee Recorder); At Large - Doug Sandstrom; District 1 - Jane Gunsbury; District 2 – Carol Lovro; District 3 – Barb Frederick; District 4 – Mary Louise Isakson; District 5 – Susan Wake  
ECONOMIC DEVELOPMENT CORPORATION - Bob Kangas, Jeff Peterson (alternate), Ex-Officio - Robert Yochum  
FAMILY CENTER ADVISORY COMMITTEE – Jim Demgen  
FAMILY SERVICE COLLABORATIVE BOARD - Jeff Peterson, Bob Kangas (alternate), Ane Rogers  
FEMA FOOD SHELF BOARD – BI-CAP – Citizen – Karen Lego  
HEALTH, HUMAN, & VETERAN SERVICES ADVISORY COMMITTEE - District 1 – Renee Schwaller; District 2 – Glenna Tappe; District 3 - Joan Kumpula; District 4 – Judy Berg; District 5 – Peggy Olding; Commissioner – Jeff Peterson; Members that represent providers of services - School Administrator: Theresa Meyers; Practicing Physician: Burton Haugen; Leech Lake Reservation: Eli Hunt; Registered Nurse: Shirley Hovey; EMS Task Force: Wilma Griffin; Human Service Provider: Virginia Deeds, Rural MN CEP; Members that represent those persons receiving services - 2 Veterans- District 4 – J.R. "Dick" Hein; District 3 - Don Fowler; Keith Bartholomaus, Bi-County CAP, representing low income; Margie Ryan (Jim Rogen- alt) representing MI, DD and Elderly; Gary Dietrich, representing families and children  
HOUSING & REDEVELOPMENT AUTHORITY – District 1 – Sandra Shade; District 2 - Jean Kline; District 3 - Michael Nethercutt; District 4 - Arlie Fundaun; District 5 - Cindi Wisheart  
HUMAN SERVICES – OUT-OF-HOME PLACEMENT SCREENING TEAM - Probation Director – Reno Wells (Chair); HHVS Director – Ane Rogers; Leech Lake Band Appointee; Mental Health Professional – Karen Holle; Guardian Ad Litem – Vicky Pavlacky or designee; County Board Member – Jeff Peterson; Cass County Attorney or designee; Cass County Sheriff or designee; Cass County Social Worker (quarterly, rotation by HHVS Director)  
INSURANCE COMMITTEE - Dick Downham, Jeff Peterson  
JUDICIAL WORK GROUP - Jim Demgen, Dick Downham (alternate)  
KITCHIGAMI LIBRARY – Bob Kangas; Dee Hillstrom  
LAW LIBRARY - Jim Demgen, Robert Yochum (alternate)  
LEECH LAKE BAND LIAISON COMMITTEE – Dick Downham, Jim Dowson  
MEDICAL CONSULTANT CONTRACT - Burton Haugen, M.D.  
MEDICAL EXAMINER - Dr. Michael McGee  
MISSISSIPPI HEADWATERS BOARD - Board – Dick Downham; Citizen – Doug Sandstrom; Technical Representative - John Ringle, Brent Rud (alternate)  
MINNESOTA COUNTIES COMPUTER COOPERATIVE - Tim Richardson, Dianne Poncelet (alternate)  
MINNESOTA COUNTIES INFORMATION SYSTEM (MCIS) - Board of Directors - Sharon K. Anderson, Tim Richardson, Steve Kuha (alternate)  
NACo PUBLIC STEERING COMMITTEE – Jim Demgen  
NATURAL RESOURCE ADVISORY COMMITTEE - SWCD Board- District 1– Thomas Kuschel; District 2 – Kenneth LaPorte; District 3 James Ballenthin; District 4 – J. David Harder; District 5 – Willard Pehling  
NW MN HOUSEHOLD HAZARDOUS WASTE MANAGEMENT BOARD - Dick Downham  
JUVENILE TRAINING CENTER - Jim Schneider; Tom Burch  
PERSONNEL COMMITTEE OF THE BOARD – Jim Dowson, Jim Demgen  
PERSONNEL POLICY COMMITTEE - Reno Wells (Chair), Jerry Lamon (Vice-Chair)  
PLANNING COMMISSION – Board Chair – Jim Demgen, Jeff Peterson (alternate) (ex-officio, non voting); District 1 - Tim Moore, Jim Weizenegger (alternate); District 2 - Bill Fitch, Kelly Hedlund (alternate); District 3 - Mark Gardner, OPEN (alternate); District 4 - John Weber, Jim Bliss (alternate); District 5 - Susan Sundberg, OPEN (alternate); At Large - Gary Gould; SWCD - Jim Ballenthin

REGIONAL ARMER BOARD – Jim Dowson, Dick Downham (alternate)  
REGIONAL JAIL - Commissioners - Jim Demgen, Jim Dowson (alternate), Sheriff - Randy Fisher  
REGION 5 DEVELOPMENT COMMISSION - Bob Kangas  
RURAL FIRE ASSOCIATION JOINT POWERS – (Unorganized Township) - Dick Downham  
SANITARY DISTRICTS – Pine River – Bob Kangas (ex-officio) Martin Ruigh; Gary Siltman; Chickamaw Beach - Michael Mills; Barclay - Marvin Ryan; Wilson - Alan Johnson; Shingobee Island - Kameron Koch; Jim Dowson - Tabled indefinitely  
TRANSPORATION ADVISORY BOARD - Ane Rogers, HHVS Director, Jeff Peterson  
SOUTH COUNTRY HEALTH ALLIANCE – Jim Demgen, Dick Downham (alternate), Ane Rogers, HHVS Director – Staff Liaison  
SWCD - LIAISON COMMITTEE - Jim Demgen, Jim Dowson, SWCD Supervisors Chair and Vice-Chair

- 6E. Administrator Yochum presented the Commissioners Board Meeting 2010 summer schedule included in the schedule are road revocations in Commissioner District 2 – Wilson Township; Commissioner District 4 – Turtle Lake Township; and Commissioner District 5 – Slater Township, no remaining road revocations in Commissioner Districts 1 and 3. After some discussion the Board tabled the summer schedule until their Wednesday, January 20, 2010 regular Commissioners Meeting.

M/S/P Downham, Dowson – To table the summer schedule meeting schedule until the Wednesday, January 20, 2010 regular Commissioners Board Meeting. Unanimous.

- 7A. Chief Financial Officer Larry Wolfe presented Resolution No.04-10 that transfers Recovery Zone Economic Development Bonds to the State of Minnesota Office of Management and Budget in the amount of \$398,000 to be used for public infrastructure and facilities. Per the County Board request Gail Leverson of the Cass County Economic Development Corporation reported that eligible recipients in Cass County have been surveyed and no qualifying projects are being pursued at this time.

Commissioner Kangas offered Resolution No. 04-10 and moved its adoption, Commissioner Dowson seconded:

Resolution Transferring Recovery Zone Economic Development Bonds

WHEREAS, the American Recovery and Reinvestment Act authorized the creation of the Recovery Zone Economic Development Bonds; and

WHEREAS, on June 12, 2009 IRS notification allocated \$132,154,000 to 2 cities and 55 counties in Minnesota that have experienced significant poverty, unemployment, high rate of home foreclosures, and general distress; and

WHEREAS, the allocation to local units are to finance qualified economic development projects meeting the designated criteria; and

WHEREAS, some counties in Minnesota received a small appropriation or no allocation from the IRS for the program, which limits the local units ability to use the funds for the specified purposes; and

WHEREAS, the program allows States to pool its allocation for use in a statewide program and allow an open application for request of funds; and

NOW THEREFORE BE IT RESOLVED, the County of Cass supports the pooling of Recovery Zone Economic Development Bonds for the purpose of supporting economic development on a statewide basis; and

BE IT FURTHER RESOLVED, the County of Cass transfers its allocation of \$ 398,000.00 from the IRS allocation to the a statewide program under the general administration and direction of the State of Minnesota Office of Management and Budget

Resolution No. 04-10 adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 7B. Mr. Wolfe presented Resolution No.05-10 that transfers Recovery Zone Facility Bonds to the State of Minnesota Office of Management and Budget in the amount of \$597,000 to be used for larger manufacturing, commercial, office, tourism and private health care. Per the County Board request Gail Leverson of the Cass County Economic Development Corporation reported that eligible recipients in Cass County have been surveyed and no qualifying projects are being pursued at this time.

Commissioner Kangas offered Resolution No. 05-10 and moved its adoption, Commissioner Dowson seconded:

Resolution Transferring Recovery Zone Facility Bonds

WHEREAS, the American Recovery and Reinvestment Act authorized the creation of the Recovery Zone Facility Bonds; and

WHEREAS, on June 12, 2009 IRS notification allocated \$198,231,000 to 2 cities and 55 counties in Minnesota that have experienced significant poverty, unemployment, high rate of home foreclosures, and general distress; and

WHEREAS, the allocation to local units are to finance facilities with construction, reconstruction, renovation, or acquired by the taxpayer after designation of the recovery zone that meet the distress criteria; and

WHEREAS, some counties in Minnesota received a small appropriation or no allocation from the IRS for the program, which limits the local units ability to use the funds for the specified purposes; and

WHEREAS, the program allows States to pool its allocation for use in a statewide program and allow an open application for request of funds; and

NOW THEREFORE BE IT RESOLVED, the County of Cass supports the pooling of Recovery Zone Economic Development Bonds for the purpose of supporting economic development on a statewide basis; and

BE IT FURTHER RESOLVED, the County of Cass transfers its allocation of \$597,000 from the IRS allocation to the a statewide program under the general administration and direction of the State of Minnesota Office of Management and Budget.

Resolution No. 05-10 adopted by majority vote: Ayes: Demgen, Downham, Dowson, Kangas, Peterson. Nays: None.

- 7C. Larry Wolfe presented an invoice from MN Power in the amount of \$2,650.00 related to installing an electrical service at the lift station for the Ah-Gwah-Ching Re-Use project.

M/S/P Dowson, Downham – To approve payment of the MN Power invoice in the amount of \$2,650.00 for an electrical service at the lift station for the Ah-Gwah-Ching Re-Use project. Ayes: Demgen, Downham, Dowson, Peterson. Nays: None. Abstain: Kangas (family member works for MN Power).

- 8A. Jim Gerchy requested to be heard by the Board regarding the annual Leech Lake Eelpout Festival. Mr. Gerchy requested that the Board determine that no Lawful Assembly Permit be required. County Attorney Christopher Strandlie discussed the Lawful Assembly Ordinance (No. 2004-03). Sheriff Randy Fisher and Recreation Division Coordinator Erick Høglund discussed the need for more sanitation facilities and additional supervision on the Lake by the event promoter. Administrator Yochum reported that during the last Leech Lake Eelpout Festival the Sheriff's Office overtime expense totaled approximately \$8,000. City of Walker Council members John Fjelstul and Gary Wilkening commented on the economic benefits to the area of the festival.

M/S/P Dowson, Peterson – To not require a mass gathering permit for the 2010 Leech Lake Eelpout Festival, however, request that a written plan from Mr. Gerchy addressing each of the Lawful Assembly Ordinance (No. 2004-03) criteria be filed with the Board at the next regular Board Meeting (Wednesday, January 20, 2010). Ayes: Demgen, Dowson, Kangas, Peterson. Nays: Downham.

- 9A. Administrator Yochum presented the upcoming meeting schedule:

M/S/P Downham, Peterson – To approve rescheduling the Tuesday, January 19, 2010 regular Commissioner's Board Meeting to Wednesday January 20, 2010, beginning at 9:00 a.m. at the Land Department Meeting Room, 218 Washburn Avenue East, Backus, MN. Unanimous.

- 9B. M/S/P Dowson, Downham – To reschedule the Friday, January 22, 2010 Planning Retreat to Friday, June 25, 2010 at the Land Department Meeting Room, 218 Washburn Avenue East, Backus, MN. Unanimous.

10. Chairman Demgen adjourned the meeting at 11:25 a.m.

SIGNED: \_\_\_\_\_  
Jim Demgen, Chairman  
Cass County Board of Commissioners

ATTEST: \_\_\_\_\_  
Robert H. Yochum  
Cass County Administrator