

**TRANSCRIPT AND REPORT OF PROCEEDINGS
CASS COUNTY BOARD OF COMMISSIONERS
COUNTY OF CASS
MAY 4, 2010**

- 1A. Vice Chairman Dowson convened the regular meeting of the Cass County Board of Commissioners at 9:00 a.m. on Tuesday, May 4, 2010, with the flag pledge, in the Board Room of the Courthouse, Walker, MN. Commissioners present: Downham, Dowson, Kangas, and Peterson. Commissioners absent: Demgen.

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
Ane Rogers	HHVS Director	Josh Stevenson	Land Commissioner
Tom Burch	Chief Deputy Sheriff	Bob Kovanen	Cass County Surveyor
John Hinzmann	SEH	Kevin McCormick	SEH
Terry Freeman	EDC, Northern Eng.	Gail Leverson	Cass Co. EDC
Howard Prurshek	Cass Co. EDC	Skip Duchesneau	Cass County EDC
Col. Todd Kubista	Camp Ripley	Bill Brown	Camp Ripley
Monica Lundquist	Brainerd Dispatch	Gail DeBoer	Pilot Independent
Allan Olson	Cass Lake Times		

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

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

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

Approve - Board Minutes of April 20, 2010.

Approve - Auditor warrants dated April 15, 2010 in the amount of \$293,967.83.

Approve - Auditor warrants dated April 22, 2010 in the amount of \$344,681.02.

Approve - HHVS Auditor warrants dated April 23, 2010 in the amount of \$113,123.31.

Approve - HHVS Commissioner warrants dated April 23, 2010 in the amount of \$220,297.79.

Approve - Auditor warrants dated April 29, 2010 in the amount of \$51,632.10.

Approve - Auditor warrants dated April 29, 2010 in the amount of \$910.00.

Approve Personnel Items - A. Budgeted positions scheduled for replacement – Receive & file Notice of the lateral movement of Katie Thompson SW, from Family Stabilization Services, Children's SS Unit, to the open Children's Mental Health SW position, Children's SS Unit, no change in grade or step, effective May 10, 2010. Receive & file Notice of intent to fill budgeted open Family Stabilization Social Worker position vacated by Katie Thompson with intent to post internally. Receive & file Notice of a contract with Audrey Johnson, Home Health Aide, Adult Public Health Unit, 2009 grade 13, step 1, effective April 23, 2010-December 31, 2010. B. Positions scheduled for no replacement: Approve - Elimination of Assessor's Office Sales Technician position effective June 1, 2010. C. Other: Refer - Assessor Mark Peterson's request to discuss Assessor's Office staffing plan to the Personnel Committee of the Board (Commissioners Demgen, and Dowson).

Approve licenses – Tobacco - McGuire's Inn on Woman Lake, M & M Inn, Inc., Woodrow; Legacy Glassworks @ Moondance, Josh Wilken-Simon, Turtle Lake. Gambling - American Legion #49 Auxiliary@ Harriett Club, Sharon Higgins, Barclay; American Legion #49 Auxiliary @ Trail Break Bar & Grill, Sharon Higgins, Wilson; American Legion #49 Auxiliary @ Mule Lake Corral Food & Liquor, Sharon Higgins, Woodrow; Leech Lake Area Youth Hockey @ McGuire's Inn on Woman Lake, Paul Fairbanks, Woodrow.

Approve - Continuing the process of townships sign off on Gambling License LG220 Exempt Premise Permit and LG214 Premise Permit.

Authorize - Financial contribution for FY2010 to the Cass County Historical Society in the amount \$2,250.00.

Authorize - Execution of Amendment #3 to Kimley-Horn & Associates-AGC Utility Improvements in the amount of \$3,250.00.

Approve - Resolution No. 21-10 Federal Boating Safety Supplement Grant Agreement (#B42541) in the amount of \$13,875.00.

Commissioner Downham offered Resolution No. 21-10 and moved its adoption, and Commissioner Kangas seconded:

BE IT RESOLVED that the Cass County Board of Commissioners hereby approves the 2010 Federal Boating Safety Supplement Grant Agreement (#B42541) in the amount of \$13,875.00 with the State of Minnesota Department of Natural Resources, and authorizes signature of the Chairman, Auditor or Administrator and Sheriff to execute the Agreement.

Resolution No. 21-10 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Absent: Demgen. Nays: None.

Accept - Donation in the amount of \$850.00 from Sylvan Township for the Cass County Sheriff's Office - Lakes Area Dive Team.

Award - Land Department quotes for grading of forest access trails and to brush hog the Beuber Lake Trail.

<u>Bidder</u>	<u>Bungo/ Moose Lake</u>	<u>Beuber</u>	<u>Bull Moose</u>	<u>Old Grade</u>
North Fork Boulders & Excavating	\$600	No bid	\$525	No bid
Sawyer Timber Company	\$1,900	\$450	\$1,200	\$2,100

Schrupp Excavating	\$1,200	\$200	\$850	\$700
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The only additional work submitted was to brush hog both sides of the Beuber Lake Trail.

<u>Bidder</u>	<u>Brush Hog Beuber Lake Trail</u>
North Fork Boulders & Excavating	No bid
Sawyer Timber Company	\$480
Schrupp Excavating	No bid

M/S/P Downham, Kangas – To award the grading contract of Beuber Lake Trail to Schrupp Excavating for \$200/grading. To award the grading contract of the Bungo/Moose Lake trails to North Fork Boulders & Excavating for \$600/grading. To award the grading contract of the Bull Moose trails to North Fork Boulders & Excavating for \$525/grading. To award the grading contract of the Old Grade to Schrupp Excavating for \$700/grading. (There will be two gradings this season for each trail system.) To award additional work to brush Beuber Lake Trail to Sawyer Timber Co. for \$480. Unanimous.

Authorize - Use of 25% Fund allocation - \$550.00 for school forest project Cass Lake/Bena School for 9 students and 2 adults on Apr. 22- 23, 2010.

Receive and file - Monthly HHVS Cash Accounts Report to date, March 31, 2010 in the amount of \$8,052,930.

Accept - Donation of \$500.00 for the Veteran's Transportation Program, from the American Legion Auxiliary, Hackensack Unit 202.

Accept - Public Health Emergency Response funding (PHER IV), from the MN of Health for \$25,566., continued support to the 2009-2010 H1N1 campaign, focusing on the underserved and hard to reach populations.

Approve - Assessor's Office Abatements – Peter Pfeifer - Ponto Lake, Homestead 2009/2010; Michelle & Jeff Thorson – Sylvan, Homestead 2009/2010.

Approve - Sheriff's Office grant submission for 2010 Federal Recreational Boating Safety Supplement Grant in the amount not to exceed \$50,000.

Approve - Great River Energy Easement (# 10-00-000-00-00) request for electrical easement in Deerfield and Powers Township.

Approve - Beulah Township public road Easement (#10-31-139-25-01) request in Sections 31, and 32 Twp. 139, Range.25.

Approve - MN BWSR Clean Water Fund grant acceptance in the amount of \$144,850.00 (C10—76).

Approve - Veterans preference claim in the amount of \$6,000.00.

Receive & file - Cass County EDC April 2010 Activity Report.

Receive & file - Timber auction results of April 29, 2010 totaling 12,337.00 cords plus 50.90mbf saw timber totaling \$288,037.52.

Refer - Local #320 shift differential grievance to the Personnel Committee of the Board

- 2B. Administrator Yochum reported on the Ad-Hoc Committee (Kangas, Peterson) meeting of Tuesday, April 20, 2010 regarding Cass County Economic Development Corporation funding. The EDC provided background materials including survey data and financial information. The EDC confirmed an understanding of the 2010 County budget contingency plan (no additional payments in 2010). EDC Director Gail Leverson commented on the necessity and value of future Cass County funding. Terry Freeman past president of the EDC thanked the Cass County Board of Commissioner for their support. Mr. Yochum presented a draft service agreement with the Cass County EDC. Commissioner Peterson requested amendments to the draft Service Agreement (Section 2B) to reflect that payments by Cass County for EDC services are for calendar years 2011, 2012, and 2013.

M/S/P Kangas, Peterson – To approve the agreement as amended with the Cass County Economic Development Corporation for services in calendar years 2011, 2012, and 2013. Unanimous.

- 3A. HHVS Director Ane Rogers presented the Child Placement Costs for March 2010 in the amount of \$153,530. Ms. Rogers and County Administrator Yochum explained potential changes in the American Indian Child Welfare Project regarding funds for the Leech Lake Band of Ojibwe and the White Earth Reservation for certain costs associated with Indian Children and will report back at a future Board Meeting.

M/S/P Peterson, Kangas – To receive & file the Child Placement Costs for March 2010 in the amount of \$153,530. Unanimous.

- 4A. Lieutenant Colonel Todd A. Kubista, the Deputy Post Commander of Camp Ripley discussed the military mission and positive economic impact (\$225M/yr) of Camp Ripley. Col. Kubista presented upcoming events scheduled at Camp Ripley from May through September along with the 2010 annual training schedule. Col. Kubista also informed the Board of Col. Richard Weaver's upcoming retirement.

Commissioner Dowson offered Resolution No. 22-10 and moved its adoption, and Commissioner Kangas seconded:

Whereas, the military training mission of Camp Ripley is advanced by maintaining positive community relations, and
Whereas, the Post Commander provides the leadership to establish the highest possible standards.

Now Therefore, Be It Resolved: That the Board of Commissioners hereby gratefully acknowledge Colonel Richard A. Weaver, Camp Ripley Post Commander for his leadership and personal commitment to positive community relations with the citizens of Cass County, Minnesota.

Resolution No. 22-10 was adopted by majority vote: Ayes: Downham, Dowson, Kangas, Peterson. Absent: Demgen. Nays: None.

Bill Brown explained the Camp Ripley Environmental Program including the conservation program, partnerships, animal surveys, community outreach, the Army Compatible Use Buffer Zone, and the Camp Ripley Veterans State Trail. The Board thanked Col. Kubista and Mr. Brown for the update.

- 5A. Land Commissioner Josh Stevenson reported back on the Leech Lake Band Liaison Committee (Dowson, Downham) meeting of Tuesday, April 20, 2010. The Committee reviewed the March 16, 2010 correspondence from the Leech Lake Band of Ojibwe opposing management of tax-forfeit lands with identified claims. The Committee discussed related past practice and the draft Cass County Forest Management Plan. The Committee recommends that the correspondence from the Leech Lake Band of Ojibwe be forwarded to the Cass County Attorney for a formal response and that existing Cass County policy should continue including: to manage tax-forfeiture lands with multiple undivided ownership interests (including timber activity), to notify the Leech Lake Band of all public land auctions, and to continue to have an open dialogue with the Leech Lake Band regarding management activity. The County Attorney explained to the Committee that, as with any other tax-forfeit parcel, if an individual (including the Leech Lake Band) feels that they have a legal title interest, then that person or entity must prove their claim. The County would then act according to the disposition of that claim.

M/S/P Peterson, Downham – To accept the Leech Lake Band Liaison Committee's recommendations that the March 16, 2010 correspondence from the Leech Lake Band of Ojibwe be forwarded to the Cass County Attorney for a formal response and that existing Cass County policy should continue including: to manage tax-forfeiture lands with multiple undivided ownership interests (including timber activity), to notify the Leech Lake Band of all public land auctions, and to continue to have an open dialogue with the Leech Lake Band regarding management activity. Unanimous.

M/S/P Downham, Peterson – To adopt the updated Cass County Forest Resource Management Plan as presented to the Cass County Board of Commissioners at their regular Board Meeting of Tuesday, May 4, 2010. Unanimous.

- 5B. Mr. Stevenson presented the 2010 hay stumpage permits located in Ansel, Beulah, Boy River, and May Townships.

<u>TRACT</u>	<u>PERMIT AREA & ACRES</u>	<u>MINIMUM BID</u>	<u>BIDDER NAME</u>	<u>BID AMOUNT</u>
1-May Twp.	19-134-31 – 3 ac	\$25.00	Steve Bartel	\$55.00
2-Ansel Twp.	1-136-32-26 ac	\$78.00 (\$3/ac)	Mark Pearl Keith Cory John Benson	\$300.00 \$278.00 \$201.00
3-Beulah Twp.	10-140-25 - 8 ac	\$25.00	Terry Mejdrich	\$25.00
4-Boy River Twp.	18-143-27- 3 ac	\$25.00	No Bid	
5-Boy River Twp.	23-143-27-21 ac	\$63.00 (\$3/ac)	Allan Wake	\$63.00
6-Boy River Twp.	13-143-28- 6 ac	\$25.00	Allan Wake	\$25.00

M/S/P Peterson, Kangas – To award the Hay Stumpage Permits for Tract #1-May Twp. - Steve Bartel in the amount of \$55.00; Tract #2-Ansel Twp. - Mark Pearl in the amount of \$300.00; Tract #3-Beulah Twp. - Terry Mejdrich in the amount of \$25.00; Tract #4-Boy River Twp. - No Bid; Tract #5-Boy River Twp. - Allan Wake in the amount of \$63.00; and Tract #6-Boy River Twp. - Alan Wake in the amount of \$25.00. Unanimous.

- 5C. Mr. Stevenson reported that the Land Department in cooperation with the Highway Department received responses from seven different contractors for the Public Corner Monumentation Program. The program proposes to establish approximately 135 Township Corners as required by MN Statute as well as the indexing of the Curo survey books (the goal of having the survey information for public use). Mr. Stevenson commented that proposed cost is significantly lower than expected. An award to the apparent low proposer in each of the five work segments equals \$160,898.00, to be funded by the Land Department Forest Development account. Mr. Stevenson discussed the benefits of the project to the Land Department and to the public for future private surveys. County Surveyor Robert Kovanen recommended the award to the low bidders in each segment of the Public Corner Monumentation Program.

<u>BID ITEM</u>	<u>QUAL</u>	<u>OPTIONS</u>	<u>DISCOUNT</u>	<u>AREA 1</u>	<u>AREA 2</u>	<u>AREA 3</u>	<u>AREA 4</u>	<u>ALL AREAS</u>	<u>INDEXING</u>	<u>ALL ITEMS</u>
				34 corners	26 corners	39 corners	36 corners	135 corners		
<u>CONTRACTOR</u> ARRO LAND SURVEYORS, LLC	Y	N	N	\$116,243.	\$96,314.	\$130,116.	\$120,990.	\$463,663.	\$64,000.	\$527,663.
KRAMER LEAS DELEO, P.C. Reduction option by omitting specific corners	Y	N	N	\$47,250.	\$60,850. omit 3 corners \$48,040.00	\$69,430. omit 4 corners \$56,255.00	\$41,280.	\$218,810.	\$35,220.	\$254,030.
NORTHERN ENGINEERING & CONSULTING, INC	Y	N	N	\$32,620.	\$44,775.	\$41,200.	\$45,150.	\$163,745.	\$54,000.	\$217,745.
NORTHERN LIGHTS SURVEYING & MAPPING, INC	Y	N	N	X	\$53,170.	X	X	X	\$22,400.	X
SHORT ELLIOT HENDRICKSON, INC	Y	N	Y	\$40,800.	\$30,500.	\$46,400.	\$39,400.	\$157,100.	\$32,000.	\$189,100.

Price if all items are awarded									\$179,100.	
WESTWOOD PROF. SERVICES INC.	Y	N	Y							
				\$40,678.	\$45,310.	\$40,576.	\$34,802.	\$161,366.	\$44,000.	\$205,366.
If awarded all 4 relocations area deduct \$1250.00 from each Area								\$156,366.	\$44,000.	\$200,366.
ULTEIG ENGINEERS INC.	Y	N	N							
				\$78,600.	\$67,000.	\$95,300.	\$96,500.	\$337,400.	\$82,800.	\$420,200.
5% discount if awarded all work										\$399,190.
APPARENT LOW PRICES PER ITEM				<u>\$32,620.</u>	<u>\$30,500.</u>	<u>\$40,576.</u>	<u>\$34,802.</u>	<u>\$138,498.</u>	<u>\$22,400.</u>	<u>\$160,898.</u>
				AREA 1	AREA 2	AREA 3	AREA 4	ALL AREAS INDEXING	ALL ITEMS	
				The awards to the per Item low bidder is the method providing Cass County the lowest overall cost.						
Average price per corner by Area with low Item bids				\$959.41	\$1,173.08	\$1,040.41	\$966.72			
Overall average price per corner with low Item bids								\$1,025.91		

The RFQ/P asked for a "Not to Exceed" cost for services related to Record Indexing and Township corner field location, office/research, documentation and filing of Certificates for any or all of the 4 project areas defined therein.

M/S/P Downham, Kangas – To authorize the Cass County Land Department to contract for Public Corner Monumentation Program services as follows: Curo Book Indexing with Northern Lights Surveying & Mapping, Inc. not to exceed \$22,400.00; Area 1 Surveying with Northern Engineering & Consulting, Inc. not to exceed \$32,620.00; Area 2 Surveying with Short Elliot Hendrickson, Inc. not to exceed \$30,500.00; Area 3 Surveying with Westwood Professional Services, Inc not to exceed \$40,576.00; Area 4 Surveying with Westwood Professional Services, Inc not to exceed \$34,802.00. Unanimous.

- 6A. Chief Deputy Sheriff Tom Burch spoke to the Board about notification from the Office of Community Oriented Policing Services (COPS Office) that Cass County can re-submit for the 2010 COPS Grant cycle in June 2010 (Cass County had submitted an application in 2009 but did not receive funding). The COPS Grant would cover the hiring of up to three Deputies for three years with no local match, after the three years Cass County would be required to commit to one additional year of funding. If selected, a grant agreement would be presented for final approval by the Board.

M/S/P Downham, Kangas – To authorize the Sheriff's Office to re-submit an updated grant application for the 2010 Community Oriented Policing Services (COPS) Hiring Program for up to three Cass County Deputies, and further that, if selected, a grant agreement will be presented for final approval to the Board. Unanimous.

- 7. Administrator Yochum confirmed the upcoming meeting schedule: County Board Meeting, Tuesday, May 18, 2010, 6:00 p.m. at Wilson Town Hall, 3990 16th Ave. SW, Pine River, MN.
- 8. Vice-Chairman Dowson adjourned the meeting at 10:07 A.M.

SIGNED: _____
 Jim Dowson, Vice-Chairman
 Cass County Board of Commissioners

ATTEST: _____
 Robert H. Yochum
 Cass County Administrator