PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

December 13, 2005

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, December 13, 2005, at 8:30 a.m. Commissioners present were Orris Rasmussen, Alan Johnston, Mark Foldesi, and Russell Walker. Commissioner Jack Stone was excused. Also present were members of the media.

The meeting was called to order at 8:30 a.m. by County Board Chairman Orris Rasmussen. The Board recited the Pledge of Allegiance.

The 10:30 appointment was cancelled. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to approve the amended agenda.

The Board gave Committee reports.

Commissioner Johnston reported on the Soil and Water Committee meeting he attended prior to the Board meeting. He had requested information regarding the legality of building roads through the Lost River State Forrest due to wetland issues. Scott Johnson informed Commissioner Johnston that it is his opinion that there are no legal issue related to the DNR's road building project. Commissioner Johnston told the Board that he had advised the Soil and Water director that there will likely be a budget cut of $2,000. Commissioner Johnston reported on the AMC Convention he attended in St. Paul December 5-7, 2005. He stated that he attended an E-Commerce session and was informed that Roseau County is the only fully digitized county in the state. Commissioner Johnston also reported on a session on elected vs. appointed officials. This session covered the pros and cons of appointing department head positions that are currently elected such as the auditor, treasurer and recorder. The session also discussed the combination of the auditor/treasurer position. Commissioner Johnston noted that the most successful attempts at combining and reorganizing offices and moving from elected to appointed is when there is full support from both the board and the individual in the position. Commissioner Johnston also attended an Energy Savings session where model programs on energy conservation were presented.

Commissioner Walker discussed the ATV Ordinance Planning Meeting that he and Commissioner Rasmussen attended. The map is now complete and will be made available for public viewing and comment. Commissioner Walker gave a report on the AMC Conference in St. Paul that he attended. He attended an MRCC meeting on December 4, 2005 that was held the night before the conference began. Clay County Commissioner Kevin Campbell was elected as the new chair, Beltrami County Commissioner Ron Otterstad was elected as the Vice-Chair and Marshall County Commissioner Del Ray Larson will remain as Secretary-Treasurer temporarily. The main issues discussed were meth priorities including the development of regional meth treatment centers. Commissioner Walker reported on the December 12, 2005 KaMaR Committee meeting. He noted that long time committee members Glenn Darst and Eldon Johnston are stepping down.

Commissioner Foldesi reported on the December 9, 2005 Highway Department Committee meeting. He and Commissioner Walker discussed the 2006 Highway Department budget with Engineer Ketring. Mr. Ketring was directed to contact the Coordinator to get information and put together a budget overview including the per mile cost of maintenance in

Roseau County compared to other counties in our district. Mr. Ketring requested to attend the next budget planning meeting to discus his concerns with the full board. The Highway Department Committee also discussed the pros and cons of privatization. Commissioner Rasmussen expressed his concern with privatization. He stated that it may save the county money initially, but this saving is likely to diminish over time. Commissioner Johnston commented that he felt the County was moving in the right direction by increasing fees for services so that the city residents are not subsidizing the rural residents.

Commissioner Rasmussen reported on the annual Northwest Regional Development Commission meeting he attended on December 2, 2005. He noted the topics centered on meth, increasing flex fuel production in northern Minnesota, the Meals on Wheels program that is facing drastic cuts and funding senior medical travel programs.

Coordinator Harren asked the Board to set a date for the next Committee of the Whole meeting to discuss the 2006 budget and levy. The Board agreed to December 16, 2005 at 8:30 a.m. Ms. Harren asked the Board if they intended to act on the grade change requests that had been submitted by the County Engineer and the County Auditor. Ms. Harren noted that these requests were made a year ago and felt a decision should be made on these requests before the end of the year. The Board agreed that the Human Resource Committee should meet to discuss these proposed changes and act on them after a budget strategy has been approved. Ms. Harren advised the Board that she distributed the proposed cuts to the department heads and had not received feedback from any department head.

Regional Extension Director Nathan Johnson and Nutrition Education Assistant Kristina Kaml met with the board to request approval of the 2006 Memorandum of Intent for the Nutrition Education position between the University of Minnesota and Roseau County. This position is funded by the Federal Government and requires an in-kind match. Roseau County provides office space and certain supplies as their match. Ms. Kaml gave a demonstration of the curriculum she uses. Ms. Kaml serves various clientele in the county including Head Start, Women Infants and Children (WIC) , the Minnesota Workforce Center, various senior sites and schools that meet the income guideline threshold of having 50% of their student population eligigle to receive free or reduced lunches. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

<u>2005-12-01</u>

BE IT RESOLVED, that the Board does hereby approve the 2006 Memorandum of Intent (MOI) agreement between the University of Minnesota Extension Service Nutrition Education Program and Roseau County and authorizes Board Chair Rasmussen to sign the MOI on behalf of Roseau County.

Chair Rasmussen recessed the meeting at 10:00 a.m. The meeting reconvened at 10:30 a.m.

Auditor Granitz met with the Board. Ms. Granitz presented the bills for approval. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to approve payment of auditor warrants and commissioner warrants as follows:

WARRANTS APPROVED ON 12/13/2005 FOR PAYMENT 12/16/2005

AMOUNT	*VENDOR NAME*	*AMOUNT*	*VENDOR NAME*
350.00	ASSN OF MN COUNTIES	472.50	TORRIS BAKKEN
1660.17	C & M FORD SALES INC	321.52	CANON FINANCIAL SERVICES INC
305.20	CREATIVE FORMS & CONCEPTS	637.94	D & L AUTO GLASS INC
417.07	TONY DORN INC	495.00	DALLAS ERICKSON
2051.84	FARMERS UNION OIL CO-LK BRNSN	5790.54	FARMERS UNION OIL CO-ROSEAU
1281.75	FARMERS UNION OIL CO-WARROAD	26495.24	FREEBERG & GRUND INC
305.00	GRAINGER INC	471.18	GRAND FORKS GROCERY FOOD SERV
430.15	GREENBUSH IMPLEMENT CO	20282.42	HEPPNER CONSULTING INC
601.72	HILLYARD HUTCHINSON	6715.00	HORNER PLUMBING & EXCAVATION
5742.35	HOUSTON ENGINEERING	345.00	RANDY JENSON
4877.91	JOHNSON OIL CO INC	37258.00	CLAIRE KJERSTEN
14383.55	KLEIN MCCARTHY & CO LTD ARCHIT	2257.18	LITTLE FALLS MACHINE INC
308.36	M & R SIGN CO INC	33454.80	MAR-KIT LANDFILL
396.27	MATHISON COMPANY	900.00	MN ASSN OF COUNTY OFFICERS
11678.02	MN COUNTIES COMPUTER COOP	977.45	MN DEPT OF TRANSPORTATION
600.00	MN OFFICE OF ENTERPRISES TECH	932.43	MULTI OFFICE PRODUCTS INC
648.87	NORTHERN FIRE EQUIPMENT SERV	923.02	NORTHLAND TIRE
568.75	NW CONCRETE PRODUCTS INC	998.51	NW MN HOUSEHOLD HAZARDOUS
406.65	POLARIS INDUSTRIES INC	2240.00	PRO-WEST & ASSOCIATES INC
546.36	QUALITY PRINTING	402.98	QUILL CORPORATION
541.98	R & Q CONTRACTING INC	381.25	RATWIK, ROSZAK & MALONEY, PA
960.00	RELIANCE TELEPHONE SYSTEMS	1202.20	RIVERFRONT STATION
473.45	ROSEAU CLEANING SYSTEMS	1729.25	ROSEAU CO COOP ASSN
456.64	ROSEAU CO HOME HEALTH CARE INC	477.86	ROSEAU DIESEL SERVICE INC
1550.00	SAFETY COMPLIANCE SERVICES	2435.25	SJOBERG'S INC
6713.44	SPIELMAN RADIO	749.00	TOWN OF SOLER
721.16	THE TRIBUNE	495.00	U OF MN DEPT OF BIOSYSTEMS
1151.74	VIKING OFFICE PRODUCTS	323.34	MELVIN WANG
10256.10	WIDSETH SMITH NOLTING	373.51	ZIEGLER INC
	61 PAYMENTS LESS THAN	**$300**	**6,507.75**

And that the summary of auditor warrants be approved as follows:

December 1, 2005	$ 85,208.46	
November 23, 2005	$ 57,073.92	
December 13, 2005	$ 120,099.00	(forthwith)
December 13, 2005	$ 7,838.93	(forthwith)

Ms. Granitz requested the Board set the 2006 Tobacco and Liquor License fees. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-12-02

BE IT RESOLVED, that Liquor License fees shall remain unchanged for 2006.

A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-12-03

BE IT RESOLVED, that the Board does hereby set the retail tobacco license fee at $50.00 for the year 2005.

Ms. Granitz requested permission from the Board to call for bids for 2005 County publishing. Discussion was held on taking circulation into account when accepting publication bids. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-12-04

BE IT RESOLVED, that the Auditor be hereby authorized to call for bids until 10:00 a.m. on January 3, 2006, for publishing for the year 2006, as follows:

(1) Publication of the Year 2005 Financial Statement Summary pursuant to M.S. 375.17, in the year 2006.

(2) Second publication of the 2005 Financial Statement Summary pursuant to Minnesota Statutes 375.17, in 2006 (Note: The Summary must be published in two separate newspapers.)

(3) Publication of the County Board Proceedings pursuant to M.S. 375.15, and publication of all legal notices of the County, including bid and public hearing notices, sample ballots, boxed employment ads, and all other publishing requests, needs, or requirements of the County, regardless of size, type and/or format, known or unknown, during 2006.

(4) Two publications of the list of delinquent taxes pursuant to M.S. 279.05, 279.06, 279.07, 279.08 and 279.09.

County Engineer Brian Ketring met with the Board. Mr. Ketring noted that there were bid openings on October 25, 2005 and December 5, 2005 on FEMA ditch repair projects. Mr. Ketring requested the Board approve five of these projects and reject and re-bid five other projects. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-12-05

WHEREAS**,** Engineer Ketring has recommended that the Board accept the low bid of Wright Construction in the amount of $91,327.04 for FEMA PW No. 268-1 County Ditch No. 11, Lateral 1 Slope Repair and Sediment Removal; and

WHEREAS**,** the Board concurs with the recommendation of Engineer Ketring;

NOW, THEREFORE, BE IT RESOLVED, that the Board accepts the low bid of Wright Construction and a contract will be given accordingly.

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-12-06

WHEREAS**,** Engineer Ketring has recommended that the Board accept the low bid of Wright Construction in the amount of $220,120.45 for FEMA PW No. 275-2, State Ditch No. 91, Lateral 3, for Slope Repair and Sediment Removal; and

WHEREAS**,** the Board concurs with the recommendation of Engineer Ketring;

NOW, THEREFORE, BE IT RESOLVED, that the Board accepts the low bid of Wright Construction and a contract will be given accordingly.

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-12-07

WHEREAS**,** Engineer Ketring has recommended that the Board accept the low bid of Holthusen Construction in the amount of $321,765 for FEMA PW No. 275-2, State Ditch No. 91, Lateral 4, for Slope Repair and Sediment Removal; and

WHEREAS**,** the Board concurs with the recommendation of Engineer Ketring;

NOW, THEREFORE, BE IT RESOLVED, that the Board accepts the low bid of Holthusen Construction and a contract will be given accordingly.

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-12-08

WHEREAS**,** Engineer Ketring has recommended that the Board accept the low bid of Holthusen Construction in the amount of $114,551 for FEMA PW No. 275-2, State Ditch No. 91, Lateral 9 and Lateral 12, for Slope Repair and Sediment Removal; and

WHEREAS**,** the Board concurs with the recommendation of Engineer Ketring;

NOW, THEREFORE, BE IT RESOLVED, that the Board accepts the low bid of Holthusen Construction and a contract will be given accordingly.

A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-12-09

WHEREAS**,** Engineer Ketring has recommended that the Board reject and re-bid the following FEMA Ditch Repair and Sediment Removal Projects:

FEMA PW No. 264-1 & 271 County Ditch No. 9, Lateral 4 and Lateral 9 and County Ditch 18
FEMA PW No. 259-1 County Ditch No. 21, Lateral 1
FEMA PW No. 259-1 County Ditch NO. 21, Lateral 2
FEMA PW No. 259-1 County Ditch No 21, Branch 1; Branch 1 – Lateral 2
FEMA PW No. 258-1 County Ditch No. 23 and County Ditch No. 23 Branch 1

WHEREAS**,** the Board concurs with the recommendation of Engineer Ketring;

NOW, THEREFORE, BE IT RESOLVED, that the Board rejects and approves the re-bid of the above named FEMA Ditch Repair Projects.

Mr. Ketring requested the Board approve the purchase of a ½ ton 4x4 truck from Nelson Dodge GMC in Fergus Falls. Mr. Ketring noted this vehicle will replace the 1973 pick-up that is currently being used by the engineer techs. This vehicle would be purchased through the Northwest Service Cooperative vehicle bid. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-12-10

BE IT RESOLVED, that the Board does hereby approve purchase of a 2006 GMC ½ ton 4x4 truck from Nelson Dodge GMC in Fergus Falls in the amount of $17,914.97 for use by the Roseau County Highway Department.

Mr. Ketring informed the Board that the snowplow truck that was previously approved and ordered is now ready to be delivered and requested the Board approve forthwith claims to W.W. Wallwork Truck Center in the amount of $120,099 and to the State of Minnesota for sales tax on the truck in the amount of $7,838.93. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to approve the forthwith payment of these two bills.

Mr. Ketring discussed the 2006 Highway Department budget and proposed cuts. Mr. Ketring presented data demonstrating the efficiency of Roseau County in comparison to other counties in our district. Mr. Ketring stated that the Board has not funded county road maintenance projects in a number of years and that it is critical that the $730,000 he requested for this account not be compromised. The Board acknowledged Mr. Ketring's concerns and admitted that for a number of reasons they have not been able to adequately fund road maintenance. The Board reviewed Mr. Ketring's budget and the levy amount for the Road and Bridge Fund and invited Mr. Ketring to attend the next budget work session.

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to approve proceedings from the November 15, 2005 and November 29, 2005 Regular Board Meetings, the November 22, 2005 Special Board Meeting, and the December 1, 2005 Truth in Taxation Hearing

Discussion of the elected official wages and per diem was deferred to the December 27, 2005 agenda.

The Board discussed the 2006 Board meeting schedule. The Board approved by consensus the following schedule for regular Board meetings:

2006 SCHEDULE OF ROSEAU COUNTY BOARD MEETINGS

DATE:	**TIME**
January 4, 2006	8:30 A.M.

January 10, 2006	8:30 A.M.
January 24, 2006	8:30 A.M.
February 14, 2006	8:30 A.M.
February 28, 2006	8:30 A.M.
March 14, 2006	8:30 A.M.
March 28, 2006	8:30 A.M.
April 11, 2006	8:30 A.M.
April 25, 2006	8:30 A.M.
May 9, 2006	8:30 A.M.
May 23, 2006	8:30 A.M.
June 13, 2006	8:30 A.M.
June 27, 2006	8:30 A.M.
July 11, 2006	8:30 A.M.
July 25, 2006	8:30 A.M.
August 15, 2006	8:30 A.M.
August 29, 2006	8:30 A.M.
September 12, 2006	8:30 A.M.
September 26, 2006	8:30 A.M.
October 10, 2006	8:30 A.M.
October 24, 2006	8:30 A.M.
November 14, 2006	8:30 A.M.
November 28, 2006	8:30 A.M.
December 12, 2006	8:30 A.M.

The Board discussed the 2006 Purchase of Service Agreement for Chore Services under Title III-B of the Older Americans Act. A motion was made by Commissioner Foldesi, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-12-11

WHEREAS, the Minnesota Board on Aging has designated the Northwest Regional Development Commission (hereinafter referred to as the "NWRDC") and the West Central Area Agency on Aging Joint Powers Board (hereinafter referred to as "WC") as the Land of the Dancing Sky Area Agency on Aging (hereinafter referred to as the "Dancing Sky AAA") for counties of Becker, Beltrami, Clay, Clearwater, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnomen, Marshall, Norman, Otter Tail, Pennington, Polk, Pope, Red Lake, Roseau, Stevens, Traverse, and Wilkin; and

WHEREAS**,** the Dancing Sky AAA has approved the Area Plan on Aging for the Dancing Sky AAA that includes funding for 1,259 hours of chore services for Roseau County; and

WHEREAS, the Dancing Sky AAA desires the Contractor to provide Chore Services for persons 60 years old and older who reside in the County of Roseau and; and

WHEREAS, all services are to be performed in accordance with the regulations governing Title III of the Older Americans Act and standards and policies of the Dancing Sky AAA and the Minnesota Board on Aging; and

WHEREAS, the Contractor has demonstrated pervious experience in the delivery of chore services for older adults; and

WHEREAS, the NWRDC, as the contractual representative of the Dancing Sky AAA, hereby engages the Contractor, and the Contractor hereby agrees to perform all the services hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED, that Roseau agrees to enter into a service agreement with the Northwest Regional Development Commission for the provision of up to 1,259 hours of chore services to eligible elderly residents of Roseau County at a reimbursable rate of $3.97 per hour of chore service provided.

BE IT FURTHER RESOLVED, that the Board does hereby authorize the County Sheriff and the Sentence to Serve Supervisor to be authorized agents to sign said agreement on behalf of Roseau County.

The Board discussed the 2006 annual software support fee contract with Real Vision Software, in the amount of $3,195. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-12-12

BE IT RESOLVED, that the Board does hereby approve the 2006 software support fee contract with Real Vision for the Real Vision complete Software Imaging System in the amount of $3195 and authorizes Board Chair Rasmussen to sign the contract on behalf of Roseau County.

The Board discussed the Transportation Alliance request to pass a resolution in support of a constitutional amendment to dedicate all of the motor vehicle sales tax revenue to transportation. The Board decided to table the matter.

The Board discussed passing a resolution for reimbursement of capital expenses associated with the proposed jail project. This resolution provides for reimbursement from bond money for capital expenses incurred on the jail project. It is not likely that this will be needed, but it must be passed and on record prior to incurring the expenses and approval of this resolution would safeguard the county in the event it is needed. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-12-13

BE IT RESOLVED by the Board of the County of Roseau, Minnesota (the "County"), as follows:

1. Recitals.

(a) The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of the County's bonds used to reimburse the County for any project expenditure paid by the County prior to the time of the issuance of those bonds.

(b) The Regulations generally require that the County make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and

that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

(c) The County heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.

(d) The County's bond counsel has advised the County that the Regulations do not apply, and hence the provisions of this Resolution are intended to have no application to payments of County project costs first made by the County out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the County to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Board hereby authorizes the County Auditor to make the County's Declarations or to delegate from time to time that responsibility to other appropriate County employees. Each Declaration shall comply with the requirements of the Regulations, including without limitation the following:

(a) Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the County reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of Exhibit A which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.

(b) Each Declaration shall (1) contain a reasonably accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.

(c) Care shall be taken so that the County, or its authorized representatives under this Resolution, not make Declarations in cases where the County does not reasonably expect to issue reimbursement bonds to finance the subject project costs, and the County officials are hereby authorized to consult with bond counsel to the County concerning the requirements of the Regulations and their application in particular circumstances.

(d) The Board shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the County has made Declarations.

3. Reimbursement Allocations. The designated County officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally written allocations that evidence the County's use of the applicable bond proceeds to reimburse the original expenditures.

4. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the County for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

The Board discussed hiring a site manager to oversee the social service building and jail project. The Board noted their satisfaction with the site manager used during the courthouse construction and asked Commissioner Foldesi to speak to that individual to determine his interest.

The Board acknowledged the following correspondence: Minnesota Heartland Tourism Association RE: Annual Report and Membership Request; Center for Rural Policy and Development RE: On-line Minnesota Atlas. No action was taken.

Upon motion carried, Chairman Orris Rasmussen adjourned the meeting at 1:00 p.m. The Board will convene its next regular meeting at 8:30 a.m. on December 27, 2005.

Attest: Date: _____

_____ _____

Teresa Harren
County Coordinator

Orris Rasmussen
Board Chairman