

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

April 26, 2005

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, April 26, 2005, at 8:30 a.m. Commissioners present were Orris Rasmussen, Alan Johnston, Jack Stone, Mark Foldesi and Russell Walker. Also present were members of the media.

The meeting was called to order at 8:30 a.m. by County Board Chairman Orris Rasmussen. Commissioner Stone presented the colors and led the Pledge of Allegiance.

Approval of the Annual Sentence to Service Contract with the Minnesota Department of Corrections, discussion of completing Roseau County parcel data development, discussion of correspondence from Lynda Myers, Lost River Gun Range update, and an appointment with the Friends of Hayes Lake were added to the agenda. A motion was made by Commissioner Foldesi, seconded by Commissioner Johnston, and carried by unanimous vote to approve the agenda as written.

Veterans' Services Officer Jeff Parker met with the Board. Mr. Parker introduced himself to the full Board and gave an update on his first few weeks of service. Mr. Parker informed the Board that State of Minnesota Veterans' Administrator Roger Bengston came to Roseau for two days and did an on-site training. Mr. Parker will be attending a Veterans' Service Officer training in Mahnomen April 25th and 26th and will travel to Fargo May 4th, 5th, and 6th for an orientation session at the State Office of Veterans' Affairs. Mr. Parker advised the Board that the Veterans' Service Budget will need to be revised. Commissioner Stone and Commissioner Johnston agreed to meet with Mr. Parker to review the Veterans' Service budget.

The Board discussed the Sentence to Service Contract. A motion was made by Commissioner Johnston, seconded by Commissioner Stone and carried by unanimous vote to adopt the following resolution:

2005-04-21

BE IT RESOLVED, that the Board does hereby authorize entering into contract with the State of Minnesota, acting through its Commissioner of Corrections, Sentencing to Service Program, for the provision of a Sentence to Service Program in Roseau County effective July 1, 2005 to July 30, 2007.

BE IT FURTHER RESOLVED, that the State agrees to provide one (1) full-time (40 hours per week) crew leader who will supervise up to ten offenders and that Roseau County agrees to pay \$67,789 for this service at agreed upon intervals during the two-year contract.

The Board discussed a personnel matter at the Sheriff's Department. A motion was made by Commissioner Foldesi, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-04-22

BE IT RESOLVED, that the Board does hereby direct Sheriff Jule Hanson to resolve the pending employee discipline matter regarding Kevin Becker by April 29, 2005.

The Board discussed completing GIS parcel development in Roseau County. There are approximately 2000 parcels remaining to be developed. Pro-West & Associates provided an estimate of \$20,000 for completing this process. It was noted that the Highway Department has provided all the section corner coordinates necessary to complete this project. Commissioner Johnston informed the Board that he has received approval to use Solid Waste funds to pay for this project. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-04-23

BE IT RESOLVED, that the Board does hereby approve and authorize Pro-West & Associates, Walker, Minnesota, to complete parcel data development for the remaining townships in Roseau County at an estimated cost of \$20,000.

BE IT FURTHER RESOLVED, that the expense will be charged to the Environmental Services Fund Line Item 25-870-6800 and paid with funds receipted to Account No. 25-870-5480.

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

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
383.80	CONSTRUCTION BULLETIN MAGAZINE	377.55	CRAGUN'S CONFERENCE CENTER
315.75	CREATIVE FORMS & CONCEPTS	720.14	D & E SPORT SHOP-ROSEAU
2158.34	DELL MARKETING LP	15469.05	E-911
618.18	FARMERS UNION OIL CO-WARROAD	2662.59	GARTNER REFRIGERATION CO
1674.93	H & L MESABI INC	1490.71	HONEYWELL
411.00	HOUSE ARREST SERVICES INC	3843.51	JOHNSON OIL CO INC
440.53	JOHNSTON ALAN B	10542.00	KAMAR SOLID WASTE FUND
456.85	LAB SAFETY SUPPLY, INC	3047.30	MN COUNTIES COMPUTER COOP
733.96	MULTI OFFICE PRODUCTS INC	478.19	PRIOR ELECTRIC INC
2747.50	PRO-WEST & ASSOCIATES INC	878.22	RADISSON HOTEL ST PAUL
11732.20	ROSEAU CO HWY DEPT	375.00	ROSEAU CO MEDICAL TRAVEL
2072.75	ROSEAU CO TREASURER	330.00	SOVDE JAMIE
570.00	TOP HEALTH	461.48	TRIBUNE THE
330.00	U OF MN	4442.25	U OF MN EXTENSION SERVICE
539.30	VIKING OFFICE PRODUCTS	315.00	VOLL LAVERNE
454.20	WALKER RUSSELL	304.48	WEST GROUP PAYMENT CENTER
47165.60	WIDSETH SMITH NOLTING		
	42 PAYMENTS LESS THAN \$300	4,752.51	
	****	FINAL TOTAL..... \$123,294.87	****

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

April 14, 2005	\$ 31,190.16
April 21, 2005	\$129,738.41

The Board discussed the Lost River Gun Club project. Commissioner Johnston reported that he had spoken with Dave Larson and was informed that Department of Natural Resources

employees Chuck Niska, Shooting Range Coordinator and Jason Peterson, Landscape Architect, had visited the lease site in Norland Township to discern whether or not this was an appropriate location for a shooting range. The Gun Club has since received approval from the Department of Natural Resources to move forward with the development of the project. Commissioner Johnston requested that the County provide maintenance of the first one (1) mile section of the Norland Forest Road to provide access into the shooting range. The Board discussed the use of con-con funds to pay for this maintenance. A motion was made by Commissioner Foldesi, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-04-24

BE IT RESOLVED, that the Board does hereby authorize provision of road maintenance service on the first mile of the Norland Forest Road.

BE IT FURTHER RESOLVED, that con-con funds be used to pay for this maintenance expense.

The Board discussed correspondence from Lynda Myers on behalf of her mother, Phyllis Anderson, requesting forgiveness on \$292.14 in penalties and interest as a result of delinquent property tax. Ms. Myers noted in her letter that her mother's address changed six years ago and that she had not received her tax statements. Ms. Myers further stated that her mother's accountant, who had been listed as the alternate on the tax statement had not received a tax statement either. The Board invited County Treasurer Diane Gregerson to the meeting. The Board asked Ms. Gregerson why a change of address was not made on this tax statement. Ms. Gregerson stated that she had not received a change of address. She noted that each year the office receives change of address requests and they make those changes. She stated that the only tax statement that has been returned during the past six years is the 2004 statement and that a forwarding address was not on the envelope. Ms. Gregerson also informed the Board that a late notice is mailed out to tax-payers in December. Of the three late notices mailed to Ms. Anderson, the only one returned was the December 2004 notice. Ms. Gregerson recommended that the Board require the \$292.14 in penalties and interest be paid. Ms. Gregerson also noted that no alternate is listed on the tax statement and that to date an updated address has still not been provided to her office. The Board directed Coordinator Harren to write a letter to Ms. Myers informing her that they are unable to accommodate her request for forgiveness of penalties and interest.

Environmental Officer Jeff Pelowski met with the Board to request approval of the revised Shoreland Ordinance. The amendment is a result of a request by a landowner developing a subdivision in Lake Township to change the structure set-back requirement from 100 feet to 75 feet. Mr. Pelowski informed the Board that a public hearing was held on April 19, 2005 and that no opposition to the amendment was received. Warroad River Watershed representative Loren Horner attended the public hearing and was in favor of the amendment. Mr. Pelowski stated that the Board of Adjustment recommends that the Shore-land Ordinance be amended. A motion was made by Commissioner Johnston, seconded by Commissioner Stone, and carried by unanimous vote to adopt the following resolution:

2005-04-25

BE IT RESOLVED, that the Board does hereby approve the recommendation of the Board of Adjustment to amend Section 5.02, Part A, of the Roseau County Shore-land Ordinance thereby reducing the structure set-back from the ordinary high water level of 100 feet to 75 feet.

The amended ordinance will be published in all three county newspapers.

Commissioner Rasmussen recessed the meeting at 9:45 a.m. The meeting reconvened at 10:00 a.m.

Diane Roseen met with the Board on behalf of the Friends of Hayes Lake. Ms. Roseen informed the Board that the Department of Natural Resources had announced its intent to resolve current budget problems by closing twelve Minnesota State Parks during the winter. Of the twelve designated to be closed during the winter, three are in Northwestern Minnesota, namely Hayes Lake State Park, Zippel Bay State Park, and Old Mill State Park. Ms. Roseen expressed concern that a disproportionate number of parks chosen are in our region. Ms. Roseen also noted that Hayes Lake State Park recently experienced a reduction in service when camping season was reduced to the months between Memorial Day weekend and Labor Day weekend. Ms. Roseen stated that her organization is concerned about the management of the dam on Hayes Lake in the absence of a year-a-round park ranger. Also, the management of Bemis Hill Recreation Area was turned over to Hayes Lake State Park and there are concerns about the maintenance and management of this recreational location. Ms. Roseen requested the Board discuss this matter with legislators and pass a resolution in support of keeping Hayes Lake State Park open year-a-round. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-04-26

WHEREAS, the Minnesota Department of Natural Resources has announced its intent to close 12 state parks in Minnesota during the winter eliminating year round park rangers in these state parks; and

WHEREAS, of the proposed 12, three are located in Northwestern Minnesota, namely Hayes Lake State Park, Zippel Bay State Park, and Old Mill State Park; and

WHEREAS, Northwestern Minnesota has the least number of state parks of any region in Minnesota; and

WHEREAS, a reduction in the service season of these state parks will pose an economic hardship and a reduction in the limited outdoor recreational opportunities available to this area; and

WHEREAS, the local units of government and other community and regional stake holders have not been provided an opportunity to provide input into this decision.

NOW, THEREFORE, BE IT RESOLVED, that the Roseau County Board does hereby object to any cuts in funding to Hayes Lake, Zippel Bay, and Old Mill state parks.

BE IT FURTHER RESOLVED, that the Board objects to any new money going into the planning and development of new state parks in Minnesota when funding for the existing state park system is inadequate.

Northwest Regional Development Executive Director Leon Heath and Northwest Regional Development Hazard Mitigation Planner Jennifer Olson met with the Board to discuss the Roseau County All Hazard Mitigation Plan. The draft plan is complete and ready to move to the review process. The plan will be reviewed and approved by Roseau County townships and cities and then will go to the Minnesota Department of Public Safety Office of Emergency Management for review. The review process is scheduled to be complete by November 2005. Mr. Heath noted that emergency funding is becoming dependent upon the planning process in communities. FEMA is directing communities to develop plans and make changes to reduce and/or eliminate repetitive damage through development of plans to “get out of harms way” where possible. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-04-27

BE IT RESOLVED, that the Board does hereby authorize the review process to begin on the Roseau County All Hazard Mitigation Plan.

Engineer Ketring met with the Board. Mr. Ketring requested the Board approve bid openings for two FEMA projects on May 24, 2005 at 11:00 a.m. The first project is a culvert replacement located .5 miles west of the intersection of CSAH No. 2 and CSAH No. 5 south of Warroad and the second project is slope stabilization at the intersection of CSAH No. 3 and CSAH No. 10 north of Badger. Both projects will be bid on a single contract. A motion was made by Commissioner Foldesi, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-04-28

BE IT RESOLVED, that the Board does hereby authorize a bid opening on Tuesday, May 24, 2005 at 11:00 a.m. on the following two Federal Highway Emergency Repairs resulting from the 2002 flood of the Roseau River:

- 1.) State Project 68-999-19, County State Aid Highway No. 2 Culvert Replacement
- 2.) State Project 68-999-27, County State Aid Highway No. 3 Slope Stabilization

Sealed bids were received until 11:00 a.m. and read by Engineer Brian Ketring as follows:

- a.) SAP 68-613-14 and SAP 68-613-15, CSAH No. 13, Grading and Culvert installation.

<u>BIDDER</u>	<u>BID AMOUNT</u>
RJ Zavoral & Sons	\$ 931,935.24
Triple D Construction & Leasing, Inc	\$1,135,991.50
Gladen Construction, Inc	\$ 854,258.25
Davidson Construction	\$1,012,349.90
Spruce Valley Corporation	\$ 944,664.45

- b.) SAP 68-602-35, SAP 68-603-21, and SAP 68-673-04, CSAH No. 2, 3, and 73

<u>BIDDER</u>	<u>BID AMOUNT</u>
MinnDak Asphalt	\$582,680.00
Northern Paving, Inc.	\$586,278.80
Northstar Materials, Inc.	\$656,796.74
Central Specialties, Inc.	\$645,375.60

Engineer Ketring left meeting to tally bids and will return later in the meeting to make recommendations regarding awarding contracts.

The Board discussed a request to construct a law enforcement memorial on County property. Coordinator Harren was directed to contact Border Patrol Agent Robert Tuttle or Greenbush Chief of Police Mike Siems to gather more information.

The Board discussed approval for Commissioner Stone to attend meetings relating to the planned East Intercept Project. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-04-29

BE IT RESOLVED, that the Board does hereby authorize Commissioner Stone to attend meetings related to the east Intercept Flood Mitigation Project.

BE IT FURTHER RESOLVED, that Commissioner Stone receive per-diem for attendance at said meetings.

Commissioner Rasmussen discussed the April 25, 2005 meeting of the Minnesota Rural Counties Caucus. Rasmussen noted that the group discussed the legislation relating to PILT payments and the various transportation funding bills that are working their way through the house and senate. Rasmussen noted that it appears the AMC Transportation Funding Proposal, supported by the MRCC, is falling apart. Commissioner Johnston is on the transportation steering committee and will be attending meetings in St. Paul regarding this matter. The Board discussed Commissioner Johnston's trip and requested that he meet with Representative Maxine Penas and Senator Leroy Stumpf while he is in St. Paul. A motion was made by Commissioner Walker, seconded by Commissioner Stone, and carried by unanimous vote to adopt the following resolution:

2005-04-30

BE IT RESOLVED, that the Board does hereby authorize Commissioner Johnston to extend his trip to St. Paul to go to the Capitol on behalf of the Roseau County Board of Commissioners.

Assistant County Attorney Lisa Hanson met with the Board. Ms. Hanson noted that in her first two weeks of work for Roseau County that the County Attorney Office had dealt with: two threats of violence in county schools, resulting in two juveniles being taken into custody; one emergency commitment; one sexual assault of a vulnerable juvenile; two runaways requiring emergency protective hearings; child support court; and 143 court cases. Ms. Hanson noted that in addition to these matters, she is writing a remote electronic alcohol monitoring grant for the Sheriff's Department. Ms. Hanson noted that the County Attorney's Office plans to work with school districts and law enforcement in Roseau County to develop a uniform policy for handling

school threats. The Board commended Ms. Hanson and County Attorney Michelle Moren for their work on the school threat matters. The Board discussed contract employee status and requested Ms. Hanson investigate the status of Roseau County contract employees to determine if in fact they meet the criteria for independent contractor. The Board requested Ms. Hanson attend an upcoming Land Use Designation Training conducted by MCIT on May 15, 2005. Ms. Hanson agreed to attend.

Engineer Ketring returned to the Board meeting. Engineer Ketring recommended that the County accept the low bid of Gladen Construction, Laporte, for CSAH No. 13 grading, aggregate surfacing and culvert installation in the amount of \$854,258.25. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-04-31

WHEREAS, Engineer Ketring has recommended the Board accept the low bid for County State Aid Highway No. 13 grading, aggregate surfacing and culvert installation; and

WHEREAS, the low bidder is Gladen Construction, Inc., Laporte; and

WHEREAS, the Board concurs with the recommendation of Engineer Ketring.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby accept the low bid of Gladen Construction, Inc, Laporte, in the amount of \$854,258.25, and a contract will be given.

Engineer Ketring recommended that the Board accept the low bid of MinnDak Asphalt, Crookston, for CSAH Nos. 2, 3, and 73 bituminous overlay in the amount of \$582,680.00. A motion was made by Commissioner Walker, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-04-32

WHEREAS, Engineer Ketring has recommended the Board accept the low bid for CSAH Nos. 2, 3, and 73 bituminous overlay; and

WHEREAS, the low bidder is MinnDak Asphalt, Crookston; and

WHEREAS, the Board concurs with the recommendation of Engineer Ketring.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby accept the low bid of MinnDak Asphalt, Crookston, in the amount of \$582,680.00, and a contract will be given.

The Board discussed the approval of a post-retirement VEBA account for employees. Coordinator Harren noted that the Board had previously approved the development of this VEBA program but MII Life requires specific wording on the resolution and has requested the Board pass a new resolution. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-04-33

WHEREAS, Roseau County wishes to offer tax preferred and tax free benefit plans to current and former employees;

NOW, THEREFORE, BE IT RESOLVED:

1. Roseau County will take whatever steps are necessary to establish a Voluntary Employees' Beneficiary Association (VEBA) for the provision of a Post Retirement Health Care Savings Plan (PRHCSP) for retired employees.
2. Roseau County hereby adopts the Minnesota Service Cooperatives VEBA Plan and Employee Benefits Trust Agreement, which is intended to qualify as a VEBA under Section 501 (c) (9) of the Internal Revenue Code, and consents to and ratifies the appointment of the trustee and plan administrator in place on the adoption of this agreement.
3. The effective date of the establishment of the VEBA and PRHCSP shall be June 1, 2005.

Ms. Harren requested the Board approve the adoption agreement with Minnesota Service Cooperative to establish the VEBA Accounts through MII Life necessary for Roseau County employees to participate in the post-retirement tax preferred and tax free benefit plans. A motion was made by Commissioner Walker, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-04-34

BE IT RESOLVED, that the Board does hereby authorize Board Chairman Orris Rasmussen to sign the contract between Roseau County and Minnesota Service Cooperative for the provision of VEBA post retirement accounts for eligible Roseau County employee groups.

The Board discussed per diem payment to NBCC sub-committee members. The Board concurred that some form of compensation for Dave Grafstrom, who will be compiling information and writing the grant document would be appropriate. A motion was made by Commissioner Walker, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2004-05-35

BE IT RESOLVED, that the Board does hereby authorize NBCC committee members Alan Johnston and Russell Walker to determine compensation for NBCC sub-committee members working on the DNR 70 mile ATV Trail RFP.

Commissioners Rasmussen and Walker attended the April 18, 2005 meeting of the Joint Powers Natural Resource Board in Bemidji. DNR Regional Director Mike Carol was at the meeting. The Commissioners feel confident that their working relationship with the DNR will improve with the replacement of the former director.

Commissioners Rasmussen and Walker requested Board approval to attend informational meetings on Lost River State Forest planning. Commissioner Rasmussen noted that two meetings are currently planned.

Commissioners Walker and Foldesi reported on the MCIT Training they attended in St. Cloud on Conflict in the Workplace and Work Place Violence. The Commissioners were impressed with the training and suggested that Roseau County sponsor this training for county schools and other interested parties. Coordinator Harren was directed to determine the expense of bringing the presenter to Roseau County.

Commissioner Johnston reported on the April 25, 2005 Warroad River Work Team Meeting he attended. He stated that he is pleased with the work on this project. Commissioner Walker and Johnston will be attending the regular meeting of the Warroad River Watershed on April 28, 2005.

The Board acknowledged the following correspondence: Hoffman, Dale, & Swenson, PLLC RE: Quinn County Community Health Service Audit Report; Lynda Myers RE: Request for Forgiveness of Property Tax Penalty & Interest; NWRD RE: Monthly Board Meeting and Copy of February 22, 2005 Minutes; MRCC RE: Monthly Board Meeting and Copy of March 29, 2005 Minutes. No action was taken.

Upon motion carried, Chairman Orris Rasmussen adjourned the meeting at 12:30 p.m. The Board will convene its next regular meeting at 8:30 a.m. on May 10, 2005.

Attest:

Date: _____

Teresa R. Harren
County Coordinator

Orris Rasmussen
Board Chairman