

**PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS**

May 24, 2005

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, May 24, 2005, at 8:30 a.m. Commissioners present were Alan Johnston, Jack Stone, Mark Foldesi and Russell Walker. Commissioner Rasmussen was excused. Also present were members of the media.

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

A motion was made by Commissioner Foldesi, seconded by Commissioner Stone, and carried by unanimous vote to approve the agenda as written.

Emergency Manager Gracia Nelson and Communications Consultant Pat Novacek met with the Board. Ms. Nelson presented the Emergency Management Performance Grant for acceptance. The purpose of this grant is for the development, maintenance, and improvement of local emergency management programs. Effective dates of this grant are October 1, 2004 to September 30, 2005. The grant amount is \$10,500. A motion was made by Commissioner Stone, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-05-12

**BE IT RESOLVED**, that the Board does hereby accept the State of Minnesota, Department of Public Safety, Division of Homeland Security and Emergency Management, 2005 Emergency Management Performance Grant in the amount of \$10,500 and does hereby authorize the Board Chair to sign this contract agreement on behalf of Roseau County.

Ms. Nelson presented a second grant from the State of Minnesota, Department of Public Safety, Division of Homeland Security and Emergency Management for acceptance. The purpose of this grant is to purchase equipment for protecting first responders and to strengthen response capabilities by providing funding for exercises, training, planning and organizational activities. Roseau County will be using these grant funds to purchase radio equipment to enhance interoperable communications between communities and disciplines along the northern Minnesota border. The effective dates of this grant are May 15, 2005 to March 31, 2007. Roseau County's portion of this grant is \$152,642. A motion was made by Commissioner Walker, seconded by Commissioner Stone, and carried by unanimous vote to adopt the following resolution:

2005-05-13

**BE IT RESOLVED**, that the Board does hereby accept the State of Minnesota, Department of Public Safety, Division of Homeland Security and Emergency Management Grant in the amount of \$152,642 and does hereby authorize the Board Chair to sign this contract agreement on behalf of Roseau County.

Auditor Anne Granitz met with the Board. Ms. Granitz reviewed a list of tax-forfeited land parcels with the Board and discussed the possible sale of these parcels. Ms. Granitz will refine and organize this list and provide an official list at the June 14, 2005 Board meeting. Ms. Granitz presented auditor warrants and commissioner warrants for approval. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to approve payment of auditor warrants and commissioner warrants as follows:

<b>AMOUNT</b>	<b>VENDOR NAME</b>	<b>AMOUNT</b>	<b>VENDOR NAME</b>
575.06	AMERICAN SOLUTIONS FOR BUSINES	663.57	BOB BARKER CO
716.00	COMPRENDIUM PROFESSIONAL DEV S	525.46	CREATIVE FORMS & CONCEPTS
308.83	DONARSKI AUDRA JEAN	302.14	DORN TONY INC
726.00	EMPLOYERS ASSOCIATION INC	420.00	ERICKSON RANDY
2244.61	FARMERS UNION OIL CO-LK BRNSN	9987.77	FARMERS UNION OIL CO-ROSEAU
3987.77	FARMERS UNION OIL CO-WARROAD	475.00	GEO-COMM CORPORATION
2044.00	KEITH KILEN	388.75	LAB SAFETY SUPPLY, INC
807.88	M & R SIGN CO INC	1764.00	MN COUNTIES COMPUTER COOP
1000.00	MN COUNTIES INSURANCE TRUST	310.00	MN COUNTY RECORDERS ASSN
420.00	MN DEPT OF REVENUE-SP TAXES DI	1839.53	MONTECH COMPUTERS
1577.00	NATIONAL BUSINESS FURNITURE IN	343.91	NATIONAL TRANSMISSION
1265.80	NORTHLAND COMMUNITY & TECHNICA	909.20	NORTHLAND TIRE
933.75	PRO-WEST & ASSOCIATES INC	569.18	RAMADA INN-BRAINERD
380.00	RINKE-NOONAN LAW FIRM	2038.80	RIVERFRONT STATION
868.09	ROSEAU CO CASH FUND	4315.04	ROSEAU CO COOP ASSN
618.27	ROSEAU CO TREASURER	1062.60	ROSEAU FIRE DEPT
1786.50	SIMPLEX GRINNELL LP	1500.00	SOVDE JAMIE
371.74	SPIELMAN RADIO	4452.07	U OF MN EXTENSION SERVICE
995.51	U SAVE FOODS	2420.00	UND FORENSIC PATHOLOGY
		<b>66 PAYMENTS LESS THAN \$300</b>	<b>6,272.63</b>
		****	****
		<b>FINAL TOTAL.....</b>	<b>\$62,186.46</b>

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

May 12, 2005	\$ 27,804.34
May 19, 2005	\$ 19,691.14

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

The Roseau River Watershed Board met with the Roseau County Board of Commissioners to discuss a possible joint County Ditch No. 7 (Hay Creek) Project. Watershed Board members present were: Farrell Erickson, Chairman; Raymond Moser, Vice-Chair; LeRoy Carriere, Manager; LaVerne Voll, Manager; Allison Frislie, Manager; Pat Moren, Attorney; Rob Sando, Administrator; Mike Bakken, Engineer; and Tracy Halstensgard, Administrative Assistant. Commissioner Johnston updated both Boards regarding the status of the County Ditch No. 7 Project. Commissioner Johnston stated that it is his understanding that the Army Corps of Engineers has withdrawn from involvement in the project and that the County has decided to move forward with flood repair work on the ditch utilizing FEMA funding. Roseau River Watershed Chairman Farrell Erickson concurred that the Army Corps of Engineers Hay Creek Project has dissolved. Mr. Erickson stated that the Roseau River Watershed intends to utilize state bonding money and move forward on a smaller version of the flood mitigation project separating out Norland Impoundment from the Hay Creek Project. The Watershed would like to work collaboratively with Roseau County by adding a ten-year flood event element to the County ditch cleaning/repair project in which they would build set-back levies and a collector ditch. County Engineer Brian Ketring stated that the County would not be opposed to working with the

Watershed, but believes it is necessary to meet with the landowners and get their input on the proposed project to determine if they would support the additional property loss required to build the setback levies the Watershed is proposing. Commissioner Johnston requested the Roseau River Watershed put together a conceptual plan and be prepared to present the plan to the affected landowners at the May 31, 2005 meeting. The Board discussed calling a meeting of the whole so that the entire Board could attend the landowner informational meeting. A motion was made by Commissioner Stone, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-05-14

**BE IT RESOLVED**, that the Board does hereby approve a Committee of the Whole meeting on May 31, 2005 at 1:30 p.m. at the Roseau County Highway Department meeting room.

County Engineer Brian Ketring met with the Board. Minnesota Department of Transportation District 2 Assistant District Engineer Lou Tasa accompanied Engineer Ketring to the meeting. Sealed Bids on two federal highway emergency repair projects were received until 11:00 a.m. and read by Mr. Tasa as follows:

1.) SP 68-999-19, CSAH No. 2, Culvert Replacement

<u>BIDDER</u>	<u>BID AMOUNT</u>
Davidson Construction	\$109,091.50
Gladen Construction	\$137,400.55
Lien Construction	\$103,680.00

2.) SP 68-999-27, CSAH No. 3, Slope Stabilization

<u>BIDDER</u>	<u>BID AMOUNT</u>
Central Specialties, Inc.	\$242,075.90
Gladen Construction	\$177,686.87
Spruce Valley	\$160,258.10
R & Q Contracting, Inc.	\$141,869.55
T.W.O. Corporation	\$182,086.50

Mr. Tasa left the meeting to tally the bids and will return later in the meeting with recommendations.

Engineer Ketring presented a recommendation to the Board for the 2005 Herbicide Supply contract. Mr. Ketring advised the Board that the bid received from Farmers Union Oil Company in Roseau was lower than the state bid and recommended the Board award the 2005 Herbicide Supply contract to Farmers Union Oil. A motion was made by Commissioner Stone, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-05-15

**WHEREAS**, Engineer Ketring has recommended that the Board accept the low bid of Farmer's Union Oil Company, Roseau, for the 2005 Herbicide Supply; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Board accepts the bid of Farmers Union Oil Company, Roseau and a contract will be given.

Engineer Ketring discussed awarding a contract on County Ditch No. 17 (Branch 1) and State Ditch No. 20 FEMA DR-1288 Disaster PW No. 266 and PW No. 260. Engineer Ketring noted that the low bidder on this project had demonstrated less than adequate performance on a previous project for Roseau County and that he had concerns awarding another contract to this company. Mr. Ketring informed the Board that he had met with the contractor and discussed these concerns. The contractor assured Engineer Ketring that they are willing and able to complete this project as bid. Engineer Ketring recommended the Board award the contract for this project to R.B.R. Construction. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-05-16

**WHEREAS**, Engineer Ketring has recommended that the Board accept the low bid of R.B.R. Construction (Middle River) for County Ditch No. 17 (Branch 1) and State Ditch No. 20 FEMA DR-1288 Disaster PW No. 266 and PW No. 260 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 bid of R.B.R. Development, Inc. in the amount of \$44,185.84 and a contract will be given.

A motion was made by Commissioner Stone, seconded by Commissioner Walker, and carried by unanimous vote to approve the April 12, 2005 and April 25, 2005 Board proceedings.

The Board discussed the 2005 Boat and Water Safety Grant. A motion was made by Commissioner Foldesi, seconded by Commissioner Walker, and carried by unanimous vote that the following resolution be adopted:

2005-05-17

**BE IT RESOLVED**, that the Roseau County Board Chairman, Roseau County Sheriff, and Roseau County Auditor be hereby authorized to sign the 2005 Boat & Water Safety Grant Agreement between the Minnesota Department of Natural Resources and the Roseau County Sheriff's Department, for the period January 1, 2005 – June 30, 2006, in the amount of \$1,497.

Assistant County Attorney Lisa Hanson met with the Board. Ms. Hanson reported that since the last Board meeting the County Attorney's office had dealt with a terroristic threat in the Badger School, the office had purchased digital transcribing equipment, had been very busy in court and had been actively involved in a missing person search. Ms. Hanson noted that a debriefing of the search process is being scheduled for the key players. Commissioner Johnston stated that he and Commissioner Rasmussen are both on the Emergency Management Committee and would like to be part of the debriefing process. Mr. Johnston stated that he believes roles, responsibilities and authority need to be better established and that a well defined plan developed by the federal government and adopted by Roseau County, the National Incident Management System (NIMS) needs to be used in circumstances like this one. Ms. Hanson

agreed to notify Commissioner Johnston and Rasmussen of the debriefing meeting date and time. Ms. Hanson reported that she attended the Land Use Training on May 19, 2005. She noted that 40% of MCIT cases last year involved land-use issues and felt the training was very useful. Ms. Hanson stated that the County needs to seriously consider the pros and cons of a zoning ordinance before they move forward. Ms. Hanson informed the Board that she is working on the ATV Permit Ordinance. The Board requested Ms. Hanson research the legality of utilizing a motorized boat on a county ditch system. Ms. Hanson agreed to do so.

County Engineer Ketring and District Engineer Tasa returned to the Board with contract recommendations. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-05-18

**WHEREAS**, County Engineer Ketring and District Engineer Tasa have recommended that the Board accept the low bid of Lian Construction in the amount of \$103,680.00 for SP 68-999-19, CSAH No. 2, Culvert Replacement; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Board accepts the bid of Lian Construction in the amount of \$103,680.00 and a contract will be given.

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

2005-05-19

**WHEREAS**, County Engineer Ketring and District Engineer Tasa have recommended that the Board accept the low bid of R & Q Contracting, Inc. in the amount of \$141,869.55 for SP 68-999-27, CSAH No. 3, Slope Stabilization; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Board accepts the bid of R & Q Contracting, Inc. in the amount of \$141,869.55 and a contract will be given.

The Board discussed adding short-term disability as an elective employee benefit. Coordinator Harren explained that this benefit has been requested by a number of employees and can be provided by the current vendor we have for long-term disability. There is no cost to the county. A motion was made by Commissioner Foldesi, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-05-20

**BE IT RESOLVED**, that the Board does hereby approve the addition of short-term disability as an elective employee benefit.

The Board discussed the employee group VEBA post-retirement survey results. Previously employees had been surveyed regarding establishing a post-retirement tax-free VEBA account for one-half of sick leave. As a result of employee responses on that survey, employees were surveyed regarding their interest in placing vacation severance in the VEBA account as well. The Highway Department Employees Association voted against placing vacation severance in a VEBA account and the non-union/non-bargaining unit employees voted in favor of placing vacation severance in a VEBA tax-free medical expense account. The Dispatch/Jailer Union and the Deputy Union were not surveyed regarding establishing a VEBA post-retirement account. The Board discussed the definition of retirement as it relates to the VEBA Post-Retirement tax-free account and service requirements for eligibility. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-05-21

**BE IT RESOLVED**, that the Board does hereby limit the definition of retirement as it relates to the establishment of a post-retirement VEBA tax-free medical expense savings account as employees officially retiring from active employment and does not include employees who have severed their employment status for other reasons.

**BE IT FURTHER RESOLVED**, that employees must **also** have completed five years of service with Roseau County to be eligible.

The Board acknowledged the work of the 70 Mile ATV RFP Work Group on completing and submitting the grant proposal. Dave Grafstrom gathered and compiled the information and submitted the grant application on behalf of Lake of the Woods and Roseau counties. It is anticipated that it will be several months before the county is notified of the successful applicant.

The Board discussed the new employee handbook. A motion was made by Commissioner Walker, seconded by Commissioner Stone, and carried by unanimous vote to adopt the following resolution:

2005-05-22

**BE IT RESOLVED**, that the Board does hereby approve the new Roseau County Employee Handbook dated June 2005.

The Board presented Committee/Meeting Reports. Commissioner Walker reported on the May 23, 2005 Northern Counties Land Use Board (NCLUB) meeting in Aitkin County. Commissioner Walker noted that a NCLUB Steering Work Group and Stakeholder meeting is scheduled for May 26, 2005 to review the "Reaching Better Land Use Decisions" pilot project. Commissioner Walker noted that the Insurance Committee met on May 19, 2005 and spent considerable time discussing the VEBA Post-Retirement Medical Savings Plan. He noted it was the committee's recommendation to leave the eligibility open to all employees severing employment from Roseau County, not just those commencing traditional retirement, but he understood the need to limit eligibility from an implementation perspective and would report that information back to the Insurance Committee.

Commissioner Foldesi informed the board that he had met with the Badger City Council again regarding purchase of the Borgen Building. He noted that the City of Badger is interested

in collaborating on this purchase, but they are not in a position to do so at this time. Commissioner Foldesi noted that he had met with Engineer Ketring, concerned citizen John Gaukerud and Houston Engineering regarding the Ross Impoundment. Houston Engineering has been hired to provide Roseau County with a second opinion on the Two River Watershed Ross Impoundment Project.

Commissioner Stone reported on the Housing Committee meeting he attended. Commissioner Stone noted that requests for housing loan requests are down substantially.

The Board discussed the overtime situation at the Sheriff's Department that occurred as a result of the missing person search. Chief Deputy John Anderson is an exempt employee and does not normally qualify for overtime or compensatory time. The Board agreed that during special circumstances exempt employees should be compensated for additional hours worked. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-05-23

**BE IT RESOLVED**, that the Board does hereby approve overtime payment to Chief Deputy John Anderson for hours worked during the pay period(s) affected by the missing person search.

**BE IT FURTHER RESOLVED**, that the Board does hereby agree to pay out remaining compensatory time that Chief Deputy Anderson has accumulated.

The Board acknowledged the following correspondence: AMC RE: District III Meeting NW Regional Development Commission RE: Monthly Board Meeting; Northern Counties Land Use Coordinating Board RE: Update on "Reaching Better Land Use Decisions" Pilot Project; City of Roseau RE: Notice of Special Meeting; Red River Reporter RE: May Issue. No action was taken.

Upon motion carried, Chairman Orris Rasmussen adjourned the meeting at 1:15 p.m. The Board will convene its next regular meeting at 8:30 a.m. on June 14, 2005.

Attest:

Date: \_\_\_\_\_

\_\_\_\_\_  
Teresa R. Harren  
County Coordinator

\_\_\_\_\_  
Orris Rasmussen  
Board Chairman