

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

June 28, 2005

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, June 28, 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.

Approving a resolution to add Aitkin County to the Northern Counties Land Use Coordinating Board and a discussion on the 2006 budget planning process were added to the agenda. A motion was made by Commissioner Stone, seconded by Commissioner Johnston, and carried by unanimous vote to approve the amended agenda.

Representatives of the Lake of the Woods Sustainability Foundation met with the Board. Foundation Director Joan Richardson gave an introduction to the foundation. Executive Director Kelli Saunders provided a presentation on the mission and objectives of the foundation, their strategies for the future and activities to date. Steering Committee Chair Tony Severson discussed where the foundation hopes to go in the future including inviting stakeholders from the United States to participate in all levels of the foundation, developing a State of the Basin Report and developing a Water Sustainability Plan for the Lake of the Woods Basin. Mr. Severson asked the Board what kind of relationship they would like to establish with the foundation. It was discussed that the Northern Border Counties Coalition that includes Roseau, Lake of the Woods and Koochiching counties would be the most efficient contact mechanism for the foundation. The Board also encouraged the Foundation to contact the Red River Basin Commission for support and guidance.

Roseau County Fair Board Secretary Buddy Erickson met with the Board. Mr. Erickson informed the Board that the Fair Board has commissioned a centennial painting commemorating the 100th year of the Roseau County Fair and would like permission to display the painting in the foyer of the Roseau County Courthouse when the fair is not in session. The Board, by consensus, agreed to display the painting in the courthouse for the residents of Roseau County to view.

Jim Stengrim, Lauren Zutz, Elden Elseth and Pam Wockenfuss of Marshall County met with the Board to discuss some concerns they have with the management of the Middle-Snake-Tamarac Rivers Watershed District. The group asked the Board to pass a resolution in support of their efforts to get a hearing with the Marshall County Board to present evidence to be considered regarding the removal of managers from the Middle River-Snake River Watershed District. A motion was made by Commissioner Foldesi, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-06-13

WHEREAS, the Middle-Snake-Tamarac Rivers Watershed District includes part of Roseau County; and

WHEREAS, the Roseau County Board of Commissioners has received complaints from the public regarding the manner in which members of the Middle-Snake-Tamarac Rivers Watershed District have been conducting their office; and

WHEREAS, the Marshall County Board of Commissioners has received similar complaints and has been asked to hold a hearing to determine whether to remove members of the Middle-Snake-Tamarac Rivers Watershed District; and

WHEREAS, the Marshall County Board of Commissioners has been made aware of citations by the Commissioner of the Minnesota Department of Administration against the Middle-Snake-Tamarac Rivers Watershed District for failing to comply with Minnesota Data Practices Act, Chapter 13, and specifically for failing to produce documents requested by the public; and

WHEREAS, the Marshall County Commissioners have received documents from the Minnesota Office of the Legislative Auditor relating to alleged failures by the Middle-Snake-Tamarac Rivers Watershed District to comply with conditions predicate to a \$1.5 million grant from the Minnesota Department of Natural Resources; and

WHEREAS, the Marshall County Commissioners have received complaints that the Middle-Snake-Tamarac Rivers Watershed District is entangled in various internal accounting irregularities which may require an audit by the State Auditor's Office; and

WHEREAS, the Marshall County Commissioners have received complaints from the public regarding the manner in which the Middle-Snake-Tamarac Rivers Watershed District has conducted itself in aggressive and protracted litigation, has excluded the public from meetings, and has amended its rules without proper notice, all in a manner that is inimical to and directly affects the rights and interest of the public; and

WHEREAS, the Marshall County Commissioners have received complaints that the Middle-Snake-Tamarac Rivers Watershed District is establishing projects inconsistent with the limitations on their powers, without proper notice, without proper appraisal of damages, and in an adversarial and non-cooperative manner inimical to and directly affecting the rights and interests of the public; and

WHEREAS, the Marshall County Commissioners have legal authority to remove a Middle-Snake-Tamarac Rivers Watershed District Board member for cause upon notice and a public hearing;

NOW, THEREFORE, BE IT RESOLVED that, in the public's interest, the Roseau County Board of Commissioners grants its full support and offers its cooperation to the Marshall County Board of Commissioners in providing notice and holding a hearing to determine whether removal of members of the Middle-Snake-Tamarac Rivers Watershed District is justified.

The citizen group further requested that the Board ask their County Attorney to write a letter to the Attorney General requesting clarification on whether Roseau County can request representation on the Middle-Snake-Tamarac Rivers Watershed District Board since Roseau County is now included within the boundaries of this watershed.

Board Chairman Rasmussen recessed the meeting at 10:15 a.m. The meeting reconvened at 10:30 a.m.

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

WARRANTS APPROVED ON 6/28/2005 FOR PAYMENT 7/01/2005

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1478.64	CONSTRUCTION BULLETIN MAGAZINE	731.80	DONOVAN ENTERPRISES INC
550.00	DW MECHANICAL	727.65	EASTWOOD ESTATES
2992.40	FARMERS UNION OIL CO-WARROAD	22828.06	FREEBERG & GRUND INC
820.10	GALL'S INC	354.64	GRANITZ ANNE K
370.53	GREGERSON DIANE	360.00	GUMERINGER LAWNCARE
333.77	HANSON LISA	3712.54	HEPPNER CONSULTING INC
520.85	HILLYARD HUTCHINSON	3950.00	HOFFMAN DALE & SWENSON PLLC
57448.43	KLEIN MCCARTHY & CO LTD ARCHIT	325.60	LAB SAFETY SUPPLY, INC
663.00	MN COUNTIES INSURANCE TRUST	495.35	MN DEPT OF TRANSPORTATION
407.00	MN STATE BAR ASSN	1715.00	MN TRANSPORTATION ALLIANCE
1903.00	NORTHERN PAVING INC	1678.00	NW MN MULTI COUNTY HRA
371.65	PARKER JEFF	504.01	QUILL CORPORATION
6585.24	R & Q CONTRACTING INC	16953.34	RATWIK, ROSZAK & MALONEY, PA
4770.59	ROSEAU CO COOP ASSN	500.00	STATE OF MINNESOTA CPV PROGRAM
415.67	STREICHER'S PROF POLICE EQUIP	375.00	U OF MN
4436.25	U OF MN EXTENSION SERVICE	770.45	U SAVE FOODS
1210.00	UND FORENSIC PATHOLOGHY	432.04	VIKING OFFICE PRODUCTS
311.70	WARROAD READY MIX	5839.86	WEST GROUP PAYMENT CENTER
6198.30	WIDSETH SMITH NOLTING		
	57 PAYMENTS LESS THAN \$300	7,291.12	
	**** FINAL TOTAL.....	\$161,331.58	****

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

June 16, 2005	\$ 70,043.53
June 23, 2005	\$190,558.98

Ms. Granitz presented the Board with the ambulance/fire funding appropriation history and a summary of cash balances in unorganized township accounts. The Board discussed the appropriate time of year to make appropriations to ambulance services and fire departments. Ms. Granitz reminded the Board that appropriating funds to ambulance service providers and fire departments began in 2001 when it was determined that con-con funds could be used to support these services. This particular appropriation differs from most other appropriations as continued funding is dependent upon fund balances in the various unorganized township accounts. It was noted that the appropriation and disbursement could be made at any time of year and has been approved at various times between June and September. The Board tabled this item until the July 12, 2005 meeting so they have time to review the cash balances before making decisions.

Ms. Granitz reviewed the list of tax-forfeited land and the Board discussed holding a land sale. The Board approved the land parcel list and directed Ms. Granitz to move forward on the land sale. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-06-14

WHEREAS, the Roseau County Board of Commissioners desires to offer for sale certain parcels of land that have been forfeited to the State of Minnesota for non-payment of taxes, and

WHEREAS, said parcels of land have been viewed by the Roseau County Board of Commissioners and have been classified as non-conservation lands – with the exception of one parcel each located in the conservation area within the townships of Enstrom and Moranville – as provided for in Minnesota Statutes 282.01;

NOW, THEREFORE, BE IT RESOLVED that the Roseau County Board of Commissioners hereby certifies that all parcels of land on the attached list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED that the Roseau County Board of Commissioners hereby requests approval from the Minnesota Department of Natural Resources for the sale of said lands.

County Engineer Brian Ketring met with the Board. Sealed Bids on SAP 68-678-01 for bituminous surfacing and concrete curb on CSAH No. 78 in Wannaska were received until 11:00 a.m. and read by Engineer Ketring.

1.) SP 68-678-01, CSAH No. 78, bituminous surfacing and concrete curb:

<u>BIDDER</u>	<u>BID AMOUNT</u>
R & Q Trucking, Inc.	\$ 147,828.00
The Spruce Valley Corporation	\$ 149,390.75
Wagner Construction, Inc.	\$ 137,216.43

Mr. Ketring informed the Board that this project may have to be delayed or postponed due to a delay on the sewer project in Wannaska. Mr. Ketring noted that this project had been let before he was informed of the delay and that the sewer project needs to be completed before the county road project can begin. Mr. Ketring stated that he will tally the bids and will discuss the project schedule with the winning bidder and make a determination as to whether to make a recommendation to award a contract or to place the project on hold and re-bid it in the spring. Mr. Ketring will have a recommendation at the July 12, 2005 Board meeting.

Mr. Ketring requested the Board approve a Minnesota Department of Transportation (MnDOT) agreement for the detour of Trunk Highway No. 11 onto County State Aid Highways No. 72 and No. 24 during construction. A motion was made by Commissioner Stone, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-06-15

BE IT RESOLVED, that Roseau County does hereby enter into Mn/DOT Agreement No. 88196 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of County State Aid Highway No's 72 and 24 as a detour route during the grading, bituminous pavement, storm sewer, curb and gutter, signal, lighting, sanitary sewer and water main construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 11 from the junction of Trunk Highway No. 89 to the east city limits under State Project No. 6803-38 (T.H. 11= 11).

BE IT FURTHER RESOLVED, that the County Board Chairman and the County Auditor are authorized to execute the Agreement and any amendments to the Agreement.

Mr. Ketring requested the Board approve the Five Year Construction Plan for the Road and Bridge Program for years 2006 through 2010. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi and carried by unanimous vote to adopt the following resolution:

2005-06-16

BE IT RESOLVED, that the Board does hereby approve the 2006 through 2010 Roseau County Five Year Construction Plan for the Road and Bridge Program.

Mr. Ketring discussed correspondence that was received from Cedarbend Township requesting that Roseau County rebuild County Road No. 135 between County Road No. 12 and County Road No. 2. Mr. Ketring told the Board that he spoke with Cedarbend Township Board Chairman Warren Lovejoy and informed him that due to reduction in state aid, Roseau County has not been able to do any county road projects for two years and that trend is not likely to change. The Board discussed possible solutions including upgrading the road to the point that it could be turned over to the township so they could collect gas tax money for that segment and then fund its maintenance. Engineer Ketring noted that compared to other counties, Roseau County does have a high number of miles that are county roads and it would make sense to turn over certain roads to townships.

Mr. Ketring discussed the most recent correspondence from Kurt Deter on Roseau River Watershed Ditch No. 3. Mr. Deter again stated that the landowners that are benefiting from the system but who are not currently assessed or paying benefits need to be notified that they have the option of petitioning to get into the system or they will have to shut off their drainage. Engineer Ketring was directed to work with Coordinator Harren to write a letter to the watershed asking them to notify landowners.

Assistant County Attorney Lisa Hanson met with the Board. Ms. Hanson informed the Board that she attended a debriefing meeting on the missing person search in Greenbush. Ms. Hanson gave a report on the Juvenile Jump Start Training she attended in St. Paul noting that the Justin Jones murder case has become a state-wide topic of conversation and is viewed by prosecutors as one of the most heinous juvenile crimes to have happened in the state of Minnesota. Ms. Hanson stated that the conference focused on terroristic threats in schools and encouraged attendees to take a strong stand on educating parents, teachers, students and the community. Ms. Hanson noted that they also discussed community prosecution and strategies for early intervention.

The Board asked Ms. Hanson for advice on what could be done to deal with the housing situation in the Berg's Addition in Warroad. The Board informed Ms. Hanson that D.W. Jones Management requested a reduction in valuation for their complex located in this area due to ongoing crime problems and property destruction. The Board was shown pictures of the area and informed of vacancy rates since the Red Lake Housing Authority purchased and built homes and an apartment complex in this area. The Board informed Ms. Hanson that they reduced the valuation by 25%, but realize this is not the long term solution and does nothing to resolve the

underlying problem. Ms. Hanson was asked to contact the Warroad City Attorney, Steve Anderson, and ask what can be done about this matter and how Roseau County could help.

Ms. Hanson presented the 2005-2006 Professional Services contracts for the Victim Services Program Coordinator and Victim Services Advocate. The Board discussed the need to insure that the relationship between Roseau County and the Minnesota Department of Public Safety that provides funding for these two positions meets all the IRS requirements for independent contractor status. Ms. Hanson and Coordinator Harren will review the contracts and the IRS guidelines to make sure they are compliant. The Board authorized the County Attorney's Office to make the necessary changes to remedy areas that are not in compliance. The Board approved the contracts including revisions as necessary. A motion was made by Commissioner Walker, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2005-06-17

BE IT RESOLVED, that the Board does hereby approve the Professional Service contracts of Angela Critchley and Monica Engelstad.

BE IT FURTHER RESOLVED, the Board does hereby authorize the County Attorney's Office to revise the contracts as necessary to meet Internal Revenue Service Independent Contractor Status criteria.

The Board discussed the appointment of Peggy Swart to the Roseau County Social Services Board. A motion was made by Commissioner Walker, seconded by Commissioner Stone and carried by unanimous vote to adopt the following resolution:

2005-06-18

BE IT RESOLVED, that the Roseau County Board of Commissioners does hereby appoint Peggy Swart to the Roseau County Social Services Board to serve a two year term from July 5, 2005 to July 5, 2007.

A motion was made by Commissioner Walker, seconded by Commissioner Stone and carried by unanimous vote to approve the May 10, 2005 Board proceedings.

The Board discussed at length the approval of a *Resolution of Support for the Roseau Flood Mitigation Project*. The Army Corps of Engineers has recommended an east diversion project. The Board was unable to come to a consensus on the resolution. It was recommended that Commissioner Johnston and Commissioner Rasmussen meet with the other two other governmental agencies involved, the Roseau River Watershed and the City of Roseau, to discuss the issue.

The Board deferred discussion of the Roseau County Post Retirement/Re-hire Policy until more research can be done.

The Board discussed the request of the Northern Counties Land Use Coordinating Board (NCLUCB) to pass a resolution amending the NCLUCB Agreement adding Aitkin County as a member and authorizing a commissioner to sign the amended Agreement at the next NCLUCB

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

2005-06-19

WHEREAS, Aitkin County has applied for membership to the Northern Counties Land Use Coordinating Board (NCLUCB); and

WHEREAS, the Northern Counties Land Use Coordinating Board has voted to recommend and accept the application establishing Aitkin County membership;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the Northern Counties Land Use Coordinating Board Agreement, Roseau County hereby ratifies Aitkin County's application for membership and agrees to amend the Agreement to include nine counties, namely Aitkin, Cook, Koochiching, Lake, Lake of the Woods, Marshall, Pennington, Roseau, and St. Louis.

BE IT FURTHER RESOLVED, that the Board does hereby authorize either Commissioner Rasmussen or Commissioner Walker to sign the amended Agreement on behalf of Roseau County at the next scheduled Northern Counties Land Use Coordinating Board meeting.

The Board discussed the purchase or lease of a new copier for the Environmental Officer, 4-H, County Coordinator and Emergency Management Office Suite. A Tony Dorn proposal for two copiers was reviewed and the Board discussed the pros and cons of purchasing a copier versus leasing a copier. Environmental Officer Jeff Pelowski has offered to pay the lease fee out of his budget. The copier will be programmed to keep a copy count by department and individual departments will then be billed at a rate of one cent per copy for use. As per contractual agreement with Tony Dorn, this fee covers all expenses on the machine except paper. A motion was by Commissioner Foldesi, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-06-20

BE IT RESOLVED, that the Board does hereby authorize entering into a 60 month lease agreement with Tony Dorn for a Canon imageRUNNER 5570 at a rate of \$275.02 per month plus a one cent (.01) per copy service fee which includes all parts, labor, drums, and toner.

BE IT FURTHER RESOLVED, that the lease fee will be billed to the Environmental Officer Department and that the service fee of one cent per copy will be billed to each department based on use.

The Board discussed 2006 Roseau County budget planning. The Board agreed to schedule Committee of the Whole meetings and meet with each department head individually. In addition to preparing a 2006 budget, department heads will be asked to provide a five year budget history and be prepared to review the budget to actual for each of those years. Department heads will also be asked to plan into their 2006 budget any requests for personnel changes that may include position revisions requiring grade changes and/or any other staffing change requests. Additionally, department heads will be requested to develop a five-year budget forecast on major cyclical capital expenditure items such as copiers, computers, desks, cars, etc. Department heads will be advised that personnel changes, with the exception of

filling of vacated positions, must be projected for the fiscal year and approved as part of the 2006 budget process and will not be approved at any other time during the budget year. Coordinator Harren was directed to work with Auditor Granitz to develop budget planning instructions and to coordinate meeting schedules.

Commissioner Johnston asked the Board to consider funding GIS development for the cities of Warroad and Roseau. Commissioner Johnston noted that Roseau County did pay for other cities within the county and that money remains in the GIS budget to pay for this expense. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-06-21

BE IT RESOLVED, that the Board does hereby authorize GIS parcel development for the cities of Roseau and Warroad.

BE IT FURTHER RESOLVED, that funding for this expense will be charged to Department #609, Environmental Officer, line item 25-870-6800.

The Board discussed the need to revise resolution 2004-08-04 which authorized the acceptance of a contract with Pro-West & Associates, Inc. for the development of a web application for Roseau County to include language defining the funding source for this expense. Environmental Officer Jeff Pelowski had agreed to pay for this expense out of the Environmental Officer budget. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2005-06-22

BE IT RESOLVED, that the Board does hereby authorize the revision of Board resolution 2004-08-04 as follows:

2004-08-04

BE IT RESOLVED that the Board does hereby authorize acceptance of the Pro-West & Associates, Inc. proposal for the development of a web application for Roseau County personnel access and the development of a web application for Roseau County public access at the estimated expense of \$37,000.

BE IT FURTHER RESOLVED, that the expense will be charged to Department #609, Environmental Officer, Fund Line Item 25-870-6800.

The Board discussed the level of involvement the Commissioners should have during emergency incidents. The Board reflected on their level of responsibility both in terms of funding emergency management operations as well as providing leadership. The Board concurred that system training is needed starting with the Commissioners and including all Sheriff's Department employees. Coordinator Harren was directed to work with Emergency Manager Gracia Nelson to schedule training. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2005-06-23

BE IT RESOLVED, that the Board does hereby approve scheduling of National Incident Management System Training (NIMS) for Roseau County Commissioners.

BE IT FURTHER RESOLVED, that the Board does hereby approve scheduling of National Incident Management System Training (NIMS) for all employees of the Roseau County Sheriff's Department.

Commissioner Rasmussen reported on his attendance at the June Minnesota Rural Counties Caucus meeting in Two Harbors. He noted that the meeting focused on the transportation funding package that continues to be stalled in the legislature, the North of Highway No. 2 bill and development of methamphetamine ordinances in rural counties.

The Board acknowledged the following correspondence: Rinke Noonan: RE: Roseau River Watershed Ditch #3; Minnesota Department of Natural Resources RE: Receipt of ATV Trail Proposal; Minnesota Historical Society RE: State Capital Projects Grants-in-Aid; NW Regional Development Commissioner RE: June Meeting; NW Regional Commission RE: Public Hearing on 2006 Budget. No action was taken.

Upon motion carried, Chairman Orris Rasmussen adjourned the meeting at 2:45 p.m. The Board will convene its next regular meeting at 8:30 a.m. on July 12, 2005.

Attest:

Date: _____

Teresa R. Harren
County Coordinator

Orris Rasmussen
Board Chairman