

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

October 24, 2006

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, October 24, 2006, at 8:30 a.m.

CALL TO ORDER

The meeting was called to order at 8:30 a.m. by County Board Chair Orris Rasmussen. The Pledge of Allegiance was recited. Roll call was taken. Commissioners present were Mark Foldesi, Orris Rasmussen, Jack Swanson, and Russell Walker. Commissioner Alan Johnston was excused for the first hour of the meeting. Also present were members of the media.

APPROVAL OF AGENDA

An 11:30 am appointment with Assistant County Attorney Lisa Hanson was added to the agenda. Authorization for the 4-H Shooting Sports Club to bring a rifle into the courthouse as part of their next meeting for gun cleaning training was added to the consent agenda. The Juneberry Road Order and Exit Interviews were added under Discussion. A motion was made by Commissioner Swanson, seconded by Commissioner Foldesi, and carried by unanimous vote to approve the revised agenda.

CONSENT AGENDA

A motion to adopt the consent agenda was made by Commissioner Foldesi, seconded by Commissioner Swanson, and carried by unanimous vote.

The Board, by adoption of its consent agenda, approved the proceedings of the October 10, 2006 Board meeting for publication.

The Board, by adoption of its consent agenda, approved the proceedings of the October 26, 2006 Special Board meeting for publication.

The Board, by approval of its consent agenda, approved the 2007 Flex Plan Renewal.

The Board, by adoption of its consent agenda, approved the revised Roseau County Trailblazers Beltrami Island State Forest Section 1 Maintenance and Grooming Application in the amount of \$11,000 and authorized Chair Rasmussen to sign the grant on behalf of Roseau County.

The Board, by adoption of its consent agenda, approved the revised Roseau County Trailblazers Pelan Trail Capital Improvement Project Application to create, mow, and sign 21 miles of ditch trail and build two new replacement shelters for the Ray M and EDA 1 trails in the amount of \$14,880.45 and authorized Chair Rasmussen to sign the grant on behalf of Roseau County.

The Board, by adoption of its consent agenda, authorized the 4-H Shooting Sports Club to bring a rifle into the courthouse as part of their regularly scheduled November meeting for the purpose of teaching gun cleaning.

The Board, by adoption of its consent agenda, received and approved the warrant payment list submitted by the Auditor's Office as follows:

WARRANTS APPROVED ON 10/24/2006 FOR PAYMENT 10/27/2006

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
650.00	ASSN OF MN COUNTIES	962.93	COMMISSIONER OF TRANSPORTATION
337.83	D & L AUTO GLASS AND MORE	776.65	TONY DORN INC
2797.48	DYNAMIC IMAGING SYSTEMS INC	2063.10	FARMERS UNION OIL CO-ROSEAU
1026.47	FARMERS UNION OIL CO-WARROAD	883.29	FLEET SUPPLY
582.68	MICHAEL FRERICKS	2781.14	GARTNER REFRIGERATION CO
400.00	GOULET CONSTRUCTION	968.22	GRAINGER INC
2000.00	GREENBUSH CITY	770.00	HEPPNER CONSULTING INC
610.28	HILLYARD HUTCHINSON	1348.38	HONEYWELL
4288.12	JOHNSON OIL CO INC	2605.42	JOHNSTON FARGO CULVERT INC
10542.00	KAMAR SOLID WASTE FUND	5100.00	LAKE OF THE WOODS CO SHERIFF
684.00	MIDWEST MONITORING & SURVEILLA	7000.00	MINN-DAK ASPHALT INC
728.94	MN OFFICE OF ENTERPRISES TECH	429.88	MULTI OFFICE PRODUCTS INC
1019.48	NETWORK CENTER INC	317.98	NOBLE THRIFTY WHITE
880.00	REESE RENTAL	2722.26	RIVERFRONT STATION
1485.00	ROBERT R ANDERSON TRUCKING	24800.00	ROSEAU AREA HOSPITAL DISTRICT
492.88	ROSEAU CO COOP ASSN	342.12	ROSEAU CO HOME HEALTH CARE INC
682.44	ROSEAU CO MEDICAL TRAVEL	10597.53	ROSEAU CO SOIL & WATER CONS
1347.71	ROSEAU CO TREASURER	64567.36	ROSEAU ELECTRIC COOP INC
722.10	RUTTGER'S BAY LAKE LODGE	320.00	STATE OF MINNESOTA BCA
975.92	STREIFF SPORTING GOODS	415.35	SWANSON'S REPAIR INC
891.00	TOWN OF ENSTROM	18327.17	TRAFFIC MARKING SERVICE INC
2000.00	TRI-COUNTY EMS DISTRICT	1623.80	U SAVE FOODS
25000.00	WARROAD AMBULANCE & RESCUE SQU	305.00	WEST GROUP PAYMENT CENTER
31713.21	WIKSTROM TELECOM-INTERNET		
	37 PAYMENTS LESS THAN \$300	3,814.81	
	****	FINAL TOTAL.....	\$245,699.93 ****

And the summary of auditor warrants, as follows:

October 12, 2006	\$	904,520.06
October 19, 2006	\$	158,065.72

COMMITTEE REPORTS

The Board heard the following committee updates: i) Roseau River Watershed Board; ii) Building Committee; iii) Department of Natural Resources Beltrami Island State Forest OHV Planning Committee; iv) Highway Committee; v) Association of Minnesota Counties – District Meeting; vi) Committee of the Whole Ditch Budget Work Session; vii) Department of Natural Resources WMA Committee; and viii) Northwest Community Action Board.

Commissioner Johnston entered the meeting.

Commissioner Foldesi informed the Board that he met with Polonia Township regarding the Reese Rental bill for work done on Grade 95 located on the township line between Unorganized Juneberry and Polonia townships. Foldesi noted that Polonia Township has agreed to pay another \$10,000 toward the cost of the project, reducing Unorganized Juneberry Township's portion of the total bill from \$19, 239.26 to \$9,239.26. Commissioner Foldesi expressed gratitude to Polonia Township for their willingness to increase their financial responsibility on this project.

JAIL/SOCIAL SERVICE CONSTRUCTION PROJECT UPDATE

Rich McCarthy and John Howell of Klein-McCarthy Architects & Company met with the Board. John Howell presented the social service roadway change order for approval. A motion was made by Commissioner Swanson, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2006-10-09

BE IT RESOLVED, that the Board does hereby accept Change Order S-002, social service roadway, in the amount of \$37,740.

BE IT FURTHER RESOLVED, that the Board authorizes Chair Rasmussen to sign the change order on behalf of Roseau County.

John Howell informed the Board that Change Order 3 is nearly complete and will be ready for approval at the November 14, 2006 Board meeting. This change order will amount to approximately \$28,000 and includes the additional site work that was necessary to accommodate the wet and pour bearing soils when pouring the jail foundation. It also includes a number of plumbing and electrical changes. Howell advised the Board that the project is one-third complete and that the changes to date on the jail account for a 1% change and a .5% change on the social service building.

Site Manager Arne Pederson met with the Board to give an overview of the remodel project scope in the County Attorney's office and request permission from the Board to move forward with the project. Pederson advised the Board that minimal work will be required and that he and Building Maintenance Supervisor Lenny Johnson will be able to complete the project. The Board, by consensus, gave Pederson permission to go ahead with the project.

Chair Rasmussen recessed the meeting at 10:15 am. The meeting reconvened at 10:30 am.

HIGHWAY DEPARTMENT AGENDA

Engineer Ketring met with the Board. Ketring requested the Board approve final payment on four projects. A motion was made by Commissioner Walker, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2006-10-10

BE IT RESOLVED, that the Board approves final payment on SAP 68-634-03 CSAH No. 34 to Northstar Materials Inc. in the amount of \$50,704.29.

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

2006-10-11

BE IT RESOLVED, that the Board approves final payment on SAP 68-678-01 CSAH No. 78 to Wagner Construction, Inc. in the amount of \$7,100.04.

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

2006-10-12

BE IT RESOLVED, that the Board approves final payment on SAP 68-599-82 Deer/Huss to Gary Lian in the amount of \$5,339.31.

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

2006-10-13

BE IT RESOLVED, that the Board approves final payment on combined maintenance projects CP 06-02 Seal Coat CSAH No. 15; CP 06-04 Seal Coat CSAH No. 16; and CP 06-05 Seal Coat CSAH No. 22 to Astech Corporation in the amount of \$7,481.17.

Ketring requested the Board approve the 2007 Ditch Levy and Budgets. A motion was made by Commissioner Johnston, seconded by Commissioner Swanson, and carried by unanimous vote to adopt the following resolution:

2006-10-14

WHEREAS, the Roseau County Board of Commissioners has reviewed and considered budgets for the ditch systems located in Roseau County; and

WHEREAS, the Roseau County Board of Commissioners deems it necessary that the following amounts be levied on ditch systems as stated below;

NOW, THEREFORE, BE IT RESOLVED that the County Auditor is directed to spread one-year levies on the following ditches for repairs and maintenance for the year 2007:

<u>Ditch No.</u>	<u>Year 2007 Levy Percentage of Assessed Benefits</u>
County Ditch No. 5	25%
County Ditch No. 6	10%
County Ditch No. 7	25%
County Ditch No. 9	25%
County Ditch No. 10	25%
County Ditch No. 11	25%
County Ditch No. 13	25%
County Ditch No. 17	20%
County Ditch No. 18	10%
Judicial Ditch No. 19	20%
County Ditch No. 20	20%
County Ditch No. 21	25%
County Ditch No. 22	-0-
County Ditch No. 23	25%
County Ditch No. 24	-0-
County Ditch No. 25	15%
County Ditch No. 26	25%

Judicial Ditch No. 33	20%
Judicial Ditch No. 61	15%
Judicial Ditch No. 62	-0-
State Ditch No. 63	15%
State Ditch No. 69	25%
State Ditch No. 72	20%
State Ditch No. 87	10%
State Ditch No. 90	20%
State Ditch No. 91	25%
State Ditch No. 95	20%
State Ditch No. 20	25%

Ditch budgets are on file in the office of the County Auditor.

Ketrying requested the Board approve a detour agreement with Mn/DOT. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2006-10-15

BE IT RESOLVED, that Roseau County does hereby enter into Mn/DOT Agreement No. 90341 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. 4 and County State Aid Highway No. 9 as a detour route during the grading, bituminous surfacing, box culvert construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 89 at 1.0 mile south of the Roseau/Marshall county line under State Project No. 4508-24 (T.H. 89-136).

Chair Rasmussen recessed the regular meeting at 11:00 am.

PUBLIC HEARING ON PROPOSED SOLID WASTE ORDINANCE

A motion was made by Commissioner Swanson, seconded by Commissioner Johnston, and carried by unanimous vote to open the public hearing. Chair Rasmussen convened the hearing at 11:01 am and turned the meeting over to Environmental Officer Jeff Pelowski. No oral or written comment was received. No member of the public was in attendance.

A motion was made by Commissioner Johnston, seconded by Commissioner Swanson, and carried by unanimous vote to close the public hearing at 11:08 am.

Chair Rasmussen reconvened the regular meeting at 11:09 am.

The Board discussed the proposed changes to the Solid Waste Ordinance. A motion was made by Commissioner Johnston, seconded by Commissioner Swanson, and carried by unanimous vote to adopt the following resolution:

2006-10-16

BE IT RESOLVED, that the Board does hereby amend the Solid Waste Ordinance to increase the residential service fee from \$35 to \$45, add CRT collection in the amount of \$5 per unit, and leave the remaining fees and language unchanged.

BE IT FURTHER RESOLVED, the amended ordinance is effective January 1, 2007 to December 31, 2007.

ASSISTANT COUNTY ATTORNEY

Assistant County Attorney Lisa Hanson met with the Board. Ms. Hanson informed the Board that she has received correspondence from Michael Jorgenson who is representing Sally Beito, f/k/a/Sally Sikorski, with regard to the county's plans to construct township roads in Unorganized Juneberry Township as ordered by resolution of the Board on October 22, 2002. The Board discussed this matter at length. The matter first came before the Board July 9, 2002, when Virgil Gryskiewicz met with the Board to request assistance to gain access to a parcel of property he co-owns in Unorganized Juneberry Township. The matter proceeded from a petition for a cartway to the establishment of township roads on October 22, 2002. The matter was not followed up on after that date. In November of 2005, the matter was brought back to the Board's attention. On January 24, 2006 an order establishing the town roads in Unorganized Juneberry Township was issued. The Highway Department was assigned the task of negotiating the easements. As of October 24, 2006 these easements have still not been negotiated. Ms. Beito is opposed to the order because a quarter mile of the new road which runs along a section line passes directly through one of her wheat fields. Ms. Hanson was instructed to contact Ms. Beito's attorney and make one more attempt to reach an agreement on a mutually agreeable location for a cartway or negotiate a damage settlement. In the event an agreement cannot be reached, Ms. Hanson was directed to move forward with necessary proceedings.

Ms. Hanson requested permission from the Board to begin advertising for an assistant county attorney. The Board, by consensus, agreed that Ms. Hanson can begin advertising November 8, 2006.

Ms. Hanson requested approval to purchase modular furniture for the office. Ms. Hanson presented a proposal from Multi-Office Products for modular furniture for the legal secretaries. A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried by unanimous vote to adopt the following resolution:

2006-10-17

BE IT RESOLVED, that the Board does hereby authorize the purchase of modular furniture for the County Attorney's Office from Multi-Office Products in the amount of \$9,810.60.

DISCUSSION ITEMS

The Board discussed the access control wall design in Court Administration. Court Administrator Teresa McDonnell was invited to speak to the Board regarding her concerns with the revised plans. Ms. McDonnell stated that she felt strongly about the safety of her employees and providing them with a sense of security and well-being while at work. Ms.

McDonnell requested that the Board consider reverting to the original design of full glass across the entire wall instead of partial glass. Ms. McDonnell had not had a chance to review the final architectural design and was not aware that the glass height was at 5 feet in all window openings. Ms. McDonnell felt that height would adequately meet her request. A motion was made by Commissioner Swanson, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

2006-10-18

BE IT RESOLVED, that the Board authorizes the installation of panic buttons in the County Attorney's Office and Court Administration as part of the access control wall RFP.

Ms. McDonnell also requested the Board purchase a metal detector. The Board expressed concerns about liability of having a security device and not having it operational all the time. The board also expressed concern about the expense of additional staff to operate the machine. Ms. McDonnell stated this would not need to be manned at all times but could be available on court days and could be staffed by the bailiffs who are working on that day. Assistant County Attorney Lisa Hanson was directed to research liability issues and Ms. McDonnell will provide the Board with cost estimates. The Board will reconsider the issue at that time.

The Board discussed the Affordable Housing Fund Advisory Committee. Commissioner Swanson requested clarification regarding his level of authority on this committee. The Board advised Swanson that he was charged with the authority to approve loan requests on behalf of the county within the confines of the approved budget. Any requests that come in once the budget has been exhausted must go before the full Board for consideration.

The Board discussed the resolution that was passed at the October 14, 2006 Board meeting in support of the Constitutional Dedication of the motor vehicle sales tax. The Association of Minnesota Counties and the Minnesota Rural Counties Caucus have both encouraged counties to pass resolutions in support of placing this question on the ballot. The Board agreed that this is not a solution to the transportation funding crisis that exists in the State of Minnesota but did not want to be accused of speaking up regarding the need for additional transportation funding. The Board agreed to let the resolution stand while noting their desire for a transportation funding package to be approved that includes an increase in gas tax.

The Board discussed disaster assistance for the City of Warroad. Insurance has covered a majority of the damage in Warroad with the exception of non-protected items that amount to approximately \$40,000. Commissioner Johnston requested the Board consider a financial donation to the city. The Board discussed possible ways to assist and directed the coordinator to research any legal restrictions regarding a financial contribution and to contact city administrator Kathy Lovelace for ideas of how the County might best assist.

The Board discussed the proposed changes to the Wetland Conservation Act. The Board agreed to review the Wetland Conservation Act Assessment and BWSR Wetland Committee materials and have a more detailed discussion at a later meeting.

The Board discussed conducting exit interviews. Ms. Harren noted exit interviews are a standard human resource function and that the Board can't make data driven decisions if they do not collect data. A motion was made by Commissioner Swanson, seconded by Commissioner Johnston, and carried by unanimous vote to adopt the following resolution:

2006-10-19

BE IT RESOLVED, the Board does hereby direct the County Coordinator to conduct exit interviews with all employees who terminate employment with Roseau County.

BE IT FURTHER RESOLVED, Ms. Harren is directed to begin immediately and conduct exit interviews retroactive to January 1, 2006.

Upon motion carried, the meeting adjourned at 1:05 p.m. The Board will convene its next regular meeting at 8:30 a.m. on November 14, 2006.

Attest:

Date: _____

Teresa Klein
County Coordinator

Orris Rasmussen
Board Chairman