

## PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

July 11, 2006

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, July 11, 2006, at 8:30 a.m.

### CALL TO ORDER

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

### APPROVAL OF AGENDA

An appointment with site-manager Arnold Pederson was added to the agenda. A motion was made by Commissioner Foldesi, seconded by Commissioner Swanson, and carried by unanimous vote to approve the revised agenda.

### CONSENT AGENDA

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

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

<b>WARRANTS APPROVED ON 7/11/2006 FOR PAYMENT 7/14/2006</b>			
<b>AMOUNT</b>	<b>VENDOR NAME</b>	<b>AMOUNT</b>	<b>VENDOR NAME</b>
685.46	ACE HARDWARE-ROSEAU	3724.00	ASSN OF MN COUNTIES
566.81	BALLARD MOTOR CO	714.95	C & M FORD SALES INC
828.59	FRED CLASEN	305.28	CONSTRUCTION BULLETIN MAGAZINE
1373.83	DONOVAN ENTERPRISES INC	675.00	DW MECHANICAL
780.00	FAIR HILLS RESORT	2526.86	FARMERS UNION OIL CO-LK BRNSN
2901.58	FARMERS UNION OIL CO-ROSEAU	654.98	FIRST & LASTING IMPPRESSIONS
575.97	GRAND FORKS GROCERY FOOD SERV	576.36	GREENBUSH IMPLEMENT CO
800.00	GUMERINGER LAWN CARE	1871.59	H & L MESABI INC
5175.00	HEPPNER CONSULTING INC	519.36	HOLIDAY COMMERCIAL
1723.25	HOUSTON ENGINEERING	15278.71	JOHNSTON FARGO CULVERT INC
452.92	LYSTADS JANITORIAL PRODUCTS	814.10	M & R SIGN CO INC
356.86	MATHISON COMPANY	1042.36	MEDICAL IMAGING NORTH
318.18	BRIANNA MILBRATH	3800.00	MINN-DAK ASPHALT INC
3870.06	MN COUNTIES COMPUTER COOP	872.27	MN DEPT OF TRANSPORTATION
600.00	MN OFFICE OF ENTERPRISES TECH	2280.72	MULTI OFFICE PRODUCTS INC
370.18	NETWORK CENTER INC	690.35	NW MEDICAL CENTER
1468.18	POWER PLAN	489.29	PRIOR ELECTRIC INC
1223.19	QUILL CORPORATION	1200.00	RELIANCE TELEPHONE SYSTEMS
3426.61	RIVERFRONT STATION	311.00	ROSEAU AREA HOSPITAL INC
465.74	ROSEAU AUTO VALUE	710.80	ROSEAU CLEANING SYSTEMS
812.16	ROSEAU CO CASH FUND	345.06	ROSEAU CO SHERIFF-SUNDRY ACCOU
1754.37	ROSEAU DIESEL SERVICE INC	752.17	ROSEAU FARM SERVICE INC
2435.25	SJOBERG'S INC	7211.39	TKDA ENGINEERS ARCHITECTS PLAN
1619.81	U SAVE FOODS	2400.00	UND FORENSIC PATHOLOGHY
1950.00	VOYAGEURS COMTRONICS CORPORATI	902.12	WILLIAMS DISTRIBUTION
110340.87	ZIEGLER INC		



July 1, 2006 and ending June 30, 2008. Ms. Doebler requested the Board approve the NW Minnesota Mentoring Year-End Report.

A motion was made by Commissioner Johnston, seconded by Commissioner Swanson, and carried by unanimous vote to approve the NW Minnesota Mentoring Year-End Report and authorize Chair Rasmussen to sign the report on behalf of Roseau County.

#### SITE MANAGER ARNOLD PEDERSON

Arnold Pederson met with the Board to provide a construction update on the jail and social service buildings. Mr. Pederson informed the Board that the final footings have been poured on the social service building, the block will be laid this week, the floor will be poured next week, and the walls will go up on July 24<sup>th</sup>. Mr. Pederson added that the footings are complete on the jail and the pre-cast walls are currently being placed. Mr. Pederson told the Board that the project is progressing smoothly. Mr. Pederson reported on repair work done to the courthouse. The Board thanked Mr. Pederson for going beyond expectations and taking care of this maintenance work for the county.

#### COMMITTEE REPORTS

Commissioner Swanson gave a Building Committee update from the July 10, 2006 meeting attended by Commissioner Rasmussen and himself. Swanson informed the Board that the committee has invited vendors to attend the next several committee meetings to discuss needs, options and cost. This is an item the Board will need to plan for in the 2007 budget as it is not included in the construction cost. Swanson reported on the June 29, 2006 Extension Committee meeting he attended. This was primarily a 2007 budget planning session. Swanson noted that a budget increase request is anticipated.

Commissioner Johnston reported on the Beltrami Island State Forest trail planning process. Johnston informed the Board that the Department of Natural Resources has agreed to lease land to the Roseau-Lake of the Woods Snowmobile Club but will require liability insurance to be in place. Johnston has been approached regarding leasing county land and whether the county's insurance could cover this recreational property. Coordinator Harren was directed to contact MCIT to determine coverage and expense.

Commissioner Foldesi reported on the July 10, 2006 KaMaR meeting he attended on July 10, 2006. Foldesi noted that it was a budget planning meeting. Foldesi reported on several joint ditch meetings he has attended with Kittson County. Foldesi reported on the July 11, 2006 Soil & Water Conservation meeting.

#### DISCUSSION ITEMS

The Board discussed the 2007 Budget planning process. Commissioner Swanson presented information he gathered on salaries and per-diems for the last six years. Swanson noted that while pre-diem expense has increased dramatically, the number of meetings attended has more than doubled and this number does not accurately reflect the actual number of meetings attended as all commissioners routinely attend meetings and do not request per-diem payment. Swanson suggested the Board consider increasing the commissioner wage, decreasing or eliminating the per-diem reimbursement, and prioritizing committee meetings. The Board concurred that something needs to be done. The work of a commissioner has expanded from being very part-time to being nearly the equivalent of a full-time job.

Commissioner Foldesi requested to be removed from the Wage Negotiations Committee and asked if Commissioner Swanson could replace him on that committee. Commissioner Foldesi explained that due to personal commitments, he would not have the time that it takes to effectively serve on this committee. The Board, by consensus, agreed to remove Commissioner Foldesi from the Wage Negotiations Committee and appoint Commissioner Swanson.

#### ENGINEER KETRING

Brian Ketring met with the Board. Ketring requested the Board approve a contract on two shouldering projects whose bids were opened and reviewed on July 10, 2006. This project includes 8.079 miles of shouldering on CSAH No. 4 from Greenbush east to CSAH No. 3. and 9.019 miles of shouldering on CSAH No. 2 from CSAH No. 37 east to TH No. 89. There were two bidders and the low bid was R & Q Contracting, Inc. in the amount of \$102,802.70. A motion was made by Commissioner Johnston, seconded by Commissioner Swanson, and carried by unanimous vote to adopt the following resolution:

#### 2006-07-02

BE IT RESOLVED, that the Board does hereby authorize awarding a contract to R & Q Contracting, Inc. in the amount of \$102,802.70 for CP 06-03 and CP 06-06.

Mr. Ketring requested the Board approve final payment to Gladen Construction, Inc. for SAP 68-634-01 and SAP 68-634-02 which included grading, aggregate surfacing and culvert replacement on Trunk Highway No. 11 east to the county line. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi, and carried by unanimous vote to adopt the following resolution:

#### 2006-07-03

WHEREAS, Contract No. 00404, SAP 68-634-01 and SAP 68-634-02, has in all things been completed; and

WHEREAS, the Board has been fully advised in the premises.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby accept said completed project for and on behalf of the County of Roseau and authorize final payment to Gladen Construction, Inc. in the amount of \$30,085.70.

#### PUBLIC HEARING ON PROPOSED STATE DITCH NO. 13, ROSS NO. 7 IMPOUNDMENT

Chair Rasmussen recessed the meeting at 11:30 am to convene a public hearing on Two Rivers Watershed District proposed impoundment on State Ditch No. 13. The public hearing was called to order at 11:30 am by Chair Rasmussen. Ditch Authority Kurt Deter was added to the agenda. A motion was made by Commissioner Foldesi, seconded by Commissioner Swanson, and carried by unanimous vote to approve the revised agenda.

Mr. Deter reviewed Minnesota Statute 103E which makes the county the ditch authority on State Ditch No. 13 and sets forth their powers and duties as the ditch authority. While the statute does provide for approving an impoundment, it also requires that the county protect landowners and the county roads in the affected areas. The public hearing today is designed to

take testimony from the petitioner and from affected landowners. The Board then has three options. They can approve the petition, deny the petition, or approve the petition with conditions.

JOR Engineer Blake Carlson gave an overview of the proposed Ross No. 7 Impoundment Project on County Ditch System No. 13 and reviewed components of his Engineer's Report dated February 28, 2005.

Mr. Deter stated that the statute requires that the petitioner either own the affected land or have secured flowage easements before the Board can approve the impoundment project. Mr. Deter asked Mr. Carlson if that requirement had been met.

Mr. Carlson stated that the majority of the property purchases and agreements have been completed but three transactions remain incomplete. Mr. Carlson expected that these final agreements would be completed shortly.

Chair Rasmussen expressed concern regarding seepage along County Road No. 114 which parallels the main impoundment dike. Mr. Carlson informed Mr. Rasmussen that there are a number of factors that will mitigate this concern. The flow path extends over nearly two sections of land, the dike will be cored and backfilled with clay that is relatively impervious and there is an external ditch between the dike and the road that will take what water that could possibly seep through without negatively affecting the county road.

Landowner John Gaukerud asked a question on the placement of two 60-inch concrete culverts at the southeast inlet on County Road No. 144 along the boundary of Section 34 Ross Township and Section 3 Stokes Township.

Mr. Gaukerud asked about the impact of the impoundment on County Road No. 119, which runs directly through the impoundment.

Mr. Carlson noted that the road is located at a place in the impoundment where the water is earliest in and earliest out and shouldn't stand in place for any extended period of time and therefore would not undermine the road.

Commissioner Foldesi expressed concern regarding the number of wetland acres. He stated that he does not want the project to include more Natural Resource Enhancements than would be required.

Landowner Floyd Haugen asked a question regarding the emergency spillway. Mr. Haugen owns land adjoining the impoundment area located nearest to the primary outlet. Mr. Haugen is not opposed to this project, but had questions regarding culvert sizes on culvert replacements that were done along State Highway No. 11.

Jeff Langen from Houston Engineering, Inc. presented a summary of the Engineer's Report dated June 5, 2006. Mr. Langen reviewed the process that had taken place noting that the work conducted by Houston Engineering was a general project review and not a detailed scientific study. The intent of Houston Engineering's work was to review the project as designed by the Two Rivers Watershed District Engineer, JOR Engineering, to determine whether the county's responsibility to the affected landowners and road systems were adequately met. Mr. Langen highlighted questions that were raised and answers received from JOR Engineering. These questions and answers were outlined in a report dated June 5, 2006.

Mr. Langen stated that most questions have been answered satisfactorily, with the exception of two including the elevation of the wetland located between NW 9 and NW 10 and specific trigger point elevations at the proposed trigger point locations.

Mr. Carlson informed the Board that a draft operating plan is in place that specifies trigger points and elevations, however, the Two Rivers Watershed Board of Managers would like to continue gathering information before they finalize the plan. Mr. Carlson noted that it is typical that the operating plan is not finalized until the project is underway.

Mr. Deter noted four issues that need to be resolved before the Board can take action on the proposed petition. First, flowage easements and property acquisition needs to be completed. Secondly, the operating plan needs to establish trigger points and elevations. Third, the effects on adjacent landowners need to be determined. Fourth, the effects on roads need to be determined. Mr. Deter advised the Board that based on the testimony today, these items are all on track.

Mr. Deter recommended that he draft an order for the Board to consider that would authorize a permit to install the Ross Impoundment on Roseau County Ditch No. 13 and include the following conditions:

1. The Petitioner show proof of property ownership and/or easements on all property effected by the Ross Impoundment.
2. The Petitioner provides the Board with the final specifications prior to letting the bid on the project.
3. The Petitioner provides the Board with an operating plan for their review and comment.
4. That upon completion of the project, the Petitioner will provide the Board with the "as built" drawings.
5. That the Petitioner agrees not to transfer ownership of the impoundment without Board approval.
6. The Board retains all rights to maintain the portion of County Ditch No. 13 that is included in the impoundment.
7. The Petitioner agrees to bank only enough wetland acres to meet permit requirements.
8. The Petitioner includes brush control in the operating plan.
9. The Petitioner agrees to be responsible for all costs incurred in authorizing the impoundments rather than assess these costs to landowners within the system.
10. The Petitioner shall appear before the Roseau County Board as drainage authority for County Ditch No. 13 no later than two (2) years after final construction for a review and discussion of any unforeseen impacts or adjusts that may need to be made to the operational plan.

Mr. Deter advised that the Board recess the Public Hearing and reconvene it at an agreed upon time. A motion was made by Commissioner Johnston, seconded by Commissioner Swanson, and carried by unanimous vote, to recess the Public Hearing until July 25, 2006 at 11:30 am.

Chair Rasmussen reconvened the Board meeting at 1:00 pm.

Upon motion carried, the meeting adjourned at 1:00 p.m. The Board will convene its next regular meeting at 8:30 a.m. on July 24, 2006.

Attest:

\_\_\_\_\_  
Teresa Harren  
County Coordinator

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

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Orris Rasmussen  
Board Chairman