

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

February 13, 2007

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, February 13, 2007 at 8:30 a.m.

CALL TO ORDER

The meeting was called to order at 8:30 a.m. by County Board Chair Jack Swanson. The Pledge of Allegiance was recited. Commissioners present were Alan Johnston, Mark Foldesi, Orris Rasmussen, Jack Swanson, and Russell Walker. Also present were Roseau Community School civics students Amy Johnson and Molly Hanson.

APPROVAL OF AGENDA

Approval of a squad car for the Sheriff's Department and approval of the Lake of the Woods Chapter of the Ruffed Grouse Society's Application for Exempt Permit were added to the consent agenda. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried to approve the revised agenda. A motion to adopt the consent agenda was made by Commissioner Walker, seconded by Commissioner Johnston, and carried.

CONSENT AGENDA

The Board, by adoption of its consent agenda, approved the proceedings of the January 2, 2007, January 9, 2007, and January 23, 2007 regular board meetings and the January 25, 2007 emergency board meeting and the January 11, 2007 Joint Ditch Committee meeting.

The Board, by adoption of its consent agenda, approved the addition of the Nationwide Pro-Account Plan.

The Board, by adoption of its consent agenda, approved the nomination of Victor Carder to fill the at-large position representing Roseau County on the Private Industry Council/Workforce Investment Board.

The Board, by adoption of its consent agenda, approved benefit pay-out to Tara Halvorson in the amount of \$191.30.

The Board, by adoption of its consent agenda, approved the hire of Ann Marie Miller as a regular part-time Administrative Assistant.

The Board, by adoption of its consent agenda, approved the hire of Chris Stauffer as a regular full-time Information Technology Specialist.

The Board, by adoption of its consent agenda, approved the purchase of a 2007 Ford Crown Victoria squad car for \$17,500 to be paid forthwith.

The Board, by adoption of its consent agenda, approved the Lake of the Woods Chapter of the Ruffed Grouse Society's Application for Exempt Permit.

The Board, by adoption of its consent agenda, approved bills for payment as follows:

WARRANTS APPROVED ON 2/13/2007 FOR PAYMENT 2/16/2007

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
385.70	ACE HARDWARE-ROSEAU	398.57	AMERIPRIDE LINEN & APPAREL SER
2026.18	BALLARD MOTOR CO	390.00	CRAGUN'S CONFERENCE CENTER
325.96	CRYSTEEL TRUCK EQUIPMENT	425.00	DARYLE DAHL
325.00	JASON DAHL	477.64	TONY DORN INC
1190.28	FARMERS UNION OIL CO-LK BRNSN	9771.68	FARMERS UNION OIL CO-ROSEAU
2357.04	FARMERS UNION OIL CO-WARROAD	1993.06	GARTNER REFRIGERATION CO
318.48	GEROY'S BUILDING CENTER INC	578.08	GRAFIX SHOPPE
1243.62	DAVE GRAFSTROM	429.56	GRAND FORKS GROCERY FOOD SERV
367.64	DIANE GREGERSON	2526.69	H & L MESABI INC
3435.00	HEPPNER CONSULTING INC	5377.50	HOFFMAN DALE & SWENSON PLLC
1500.00	JIMS EQUIPMENT INC	4699.20	JOHNSON OIL CO INC
18973.82	KAYWAY INDUSTRIES INC	5594.15	KLEIN MCCARTHY & CO LTD ARCHIT
658.17	LAB SAFETY SUPPLY, INC	5350.00	LAKE OF THE WOODS CO SHERIFF
600.10	LEXISNEXIS MATTHEW BENDER	550.00	O'NEIL LUND
28520.10	MAR-KIT LANDFILL	1114.52	MARRIOTT INTERNATIONAL
1065.00	MINNESOTA'S BOOKSTORE	830.00	MN CHIEFS OF POLICE ASSOCIATIO
2761.77	MN COUNTIES COMPUTER COOP	1333.00	MN COUNTY ATTORNEYS ASSN
600.00	MN OFFICE OF ENTERPRISES TECH	2100.00	MN RURAL COUNTIES CAUCUS
2803.34	MONTECH COMPUTERS	430.36	MULTI OFFICE PRODUCTS INC
1083.70	NETWORK CENTER INC	2763.79	NORTHLAND TIRE
850.00	PATRICK NOVACEK	852.87	NOVOTNY'S OVERHEAD DOOR SALES
6049.00	NW MN HOUSEHOLD HAZARDOUS	2504.00	JEFF O'DONNELL
448.00	OLSON'S SKIME STORE	418.50	JEFF PARKER
1097.09	POWER PLAN	920.88	PRIOR ELECTRIC INC
1480.00	QUILL CORPORATION	143823.00	RADIAN COMMUNICATIONS SERVICES
1661.00	RATWIK, ROSZAK & MALONEY, PA	4558.50	REAL VISION SOFTWARE INC
2017.04	RELIANCE TELEPHONE SYSTEMS	4216.37	REUBEN'S BODY SHOP INC
1370.27	RIVERFRONT STATION	406.30	ROSEAU AUTO VALUE
489.45	ROSEAU CLEANING SYSTEMS	4079.06	ROSEAU CO COOP ASSN
322.27	ROSEAU CO SHERIFF-SUNDRY ACCOU	1664.13	ROSEAU DIESEL SERVICE INC
974.08	ROSEAU FARM SERVICE	4555.50	SETTER & ASSOCIATES LLC
2808.00	STOSKOPF REDI MIX ROSEAU INC	452.47	JACK SWANSON
3545.91	TITAN MACHINERY-CONST DIVISION	385.55	TOWN OF MORANVILLE
2346.59	U SAVE FOODS	30000.00	US POSTAL SERVICE
2000.00	WEST CENTRAL INDEXING LLC	3059.60	WEST GROUP PAYMENT CENTER
5347.88	WIDSETH SMITH NOLTING	5475.31	ZIEGLER INC
		50 PAYMENTS LESS THAN \$300	6,765.01
		**** FINAL TOTAL.....	\$364,617.33 ****

And the summary of auditor warrants and forthwith payments, as follows:

1-25-07	\$ 217,518.81
1-25-07	\$ 264,057.80
1-31-07	\$ 47.00
2-01-07	\$ 407,569.35
2-08-07	\$ 39,102.98
2-13-07	\$ 17,500.00

COMMITTEE REPORTS

The Board heard the following committee and other meeting reports: i.) Minnesota Futures Task Force; ii) Building Committee; iii.) AMC Legislative Steering Committee; iv.) Northwest Regional Development Transportation Committee; v.) MRCC; vi.) BISF OHV Trail Planning Committee; vii.) State Ditch #72 Joint Ditch Committee; viii.) Community Round Table; ix.) Two Rivers Watershed Impoundment Project Operating Plan Review Meeting; and x) KaMaR.

CONSTRUCTION UPDATE

Site Manager Arnold Pederson met with the Board to give an update on the jail and social service construction projects. The social service building is nearing completion. Remaining work includes placement of a few exterior siding pieces, exterior painting and some interior finish work. The jail is progressing nicely. The second level is nearly complete. On the main level the floor is substantially poured and the electrical and plumbing work continues in the individual cell units. The exterior is complete except for the placement of windows and doors and asphalt. Mr. Pederson reviewed the Social Service Change Order. The change order is for repainting a portion of the interior walls and for additional reinforcement of the ceilings in the entrance. A motion was made by Commissioner Rasmussen, seconded by Commissioner Johnston, and carried to adopt the following resolution:

2007-02-01

BE IT RESOLVED, that the Board does hereby approve the Authorization to Proceed with a Construction Change on the social service building in the amount of \$2,499.

COUNTY ATTORNEY'S OFFICE

County Attorney Lisa Hanson met with the Board. Ms. Hanson reviewed the status of the Juneberry Road Order. An agreement on a cartway could not be reached. The Board is in the position where they need to move forward and award damages. A motion was made by Commissioner Foldesi, seconded by Commissioner Johnston, and carried to adopt the following resolution:

2007-02-02

AWARD OF DAMAGES FOR THE ESTABLISHMENT OF A ROAD IN UNORGANIZED JUNE BERRY TOWNSHIP OF ROSEAU COUNTY

WHEREAS, the Roseau County Board of Commissioners, acting pursuant to authority granted in M.S. § 163.06 Subd. 5, passed a resolution on the 22nd day of October, 2002, establishing certain town roads in Unorganized Township 162 N., Range 44 W.; and

WHEREAS, Roseau County has been unable to negotiate an agreement with the landowner, Violet Sikorski, trustee of the Sikorski Family Trust, for damages sustained by reason of establishing a road legally described as:

Beginning at the Northwest Corner of the Northwest Quarter of Section 33, thence running East along the section line to the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 33, and thereby terminating. The width of the road is Thirty-three (33) feet on each side of the centerline of the above-described line.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Roseau County Board of Commissioners assesses the damages sustained by reason of establishing the above-

described road at \$1,800 and awards that amount to landowner Violet Sikorski, trustee of the Sikorski Family Trust, 30787 120th Avenue, Lancaster, MN 56735.

IT IS FURTHER ORDERED, that this Award of Damages shall be filed with the Roseau County Auditor and served upon the landowners, together with payment of the damages, within seven (7) days of filing.

Ms. Hanson gave a report on the January 24, 2007 teleconference between herself and the Army Corps of Engineer, the Department of Natural Resources, Board of Water and Soil Resources, Roseau County Soil and Water and Roseau County Environmental Office. No workable solution could be agreed upon. The Board directed the County Coordinator to advertise to fill the position on the Wetland Appeal Committee so the Board can get this committee activated to hear Robert Anderson's appeal. Roseau County Soil & Water will be making their appointments on February 21, 2007.

Ms. Hanson gave an update on the Warroad storefront sting operation. Approximately one-third of the cases have been resolved. Fourteen defendants have entered guilty pleas on drug charges and one defendant has entered a guilty plea on a gun violation. Three gun charges have been dismissed.

Ms. Hanson discussed DNR enforcement of the deer feeding ban that has been in effect since November. Ms. Hanson stated that she and other affected prosecutors have met with the DNR and will be prosecuting these cases uniformly. Twenty-nine sites have been identified by aerial surveillance. Approximately ten of those sites are in Roseau County. This ban is part of the overall strategy to eliminate the spread of bovine tuberculosis in both cattle and deer populations. Other measures include a reduction in the deer herd in the affected area and gating cattle feeding locations to reduce opportunities for cross contamination. Ticketed individuals will be charged with a misdemeanor. If convicted, prosecutors will recommend a 30 day jail sentence stayed on condition that defendants pay a \$500 fine, clean-up their deer feeding site within fourteen days, and have no similar offenses.

Ms. Hanson discussed the letter received from the Roseau River Watershed Board requesting reimbursement in the amount of \$11,459.83 for expenses incurred during the appointment of an ineligible manager. Ms. Hanson advised the Board to take no action. Ms. Hanson noted that the Board had a good faith belief that Todd Miller was legally appointed and acted in a timely manner when it came to their attention that certain residency requirements may have been violated. Ms. Hanson further noted that these payments were approved by the Watershed Board.

Chair Jack Swanson recessed the meeting at 10:30 am. The meeting reconvened at 10:45 am.

DISCUSSION

The Board discussed filling the un-expired term of Todd Miller on the Roseau River Watershed District Board. Chair Swanson asked if there had been any additions to the nominees. Coordinator Klein stated that no new applications had been received. Chair Swanson asked for Board input on the appointment. Commissioner Walker stated that in order to achieve a balanced representation of the county on the watershed board that the appointee needs to come from either District 1 or District 4.

Commissioner Johnston concurred with Commissioner Walker, adding that he felt someone was needed on the RRWD Board who will actively move issues along. Commissioner Johnston stated that he would be in favor of reappointing Todd Miller.

Commissioner Foldesi stated that past history has been that an appointee has been regionally made and he at one time attempted to change that practice and had been overruled. He stated that he felt the Board should continue with their current practice.

Commissioner Rasmussen stated that he believed all three applicants could do a good job. He stated it is important that board members represent a variety of backgrounds. He added that it is important to have watershed board members that will continue to support agricultural needs and who will focus on water retention upstream in a balanced manner including placement of water retention sites on public property. Commissioner Rasmussen added that while industry may come and go, agriculture remains the backbone of Roseau County.

County Attorney Lisa Hanson asked if the residency of the applicants for appointment to the Roseau River Watershed District Board of Managers had been verified. Coordinator Klein stated that they had not. Candidate Todd Miller was invited to answer residency questions. Commissioner Swanson asked the questions:

Q: Are you a resident of the Roseau River Watershed?

A: Yes

Q: How long have you been a resident of the Roseau River Watershed District?

A: Since August of 2004

Q: What is your physical address?

A: 52630 County Road #2, Warroad, MN 56763

Q: Is this the address where you receive your mail?

A: Yes

Q: Are you a registered voter?

A: Yes

Q: In which precinct are you registered to vote?

A: America

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

2007-02-03

BE IT RESOLVED, that the Board does hereby reappoint Todd Miller to the Roseau River Watershed Board for a term expiring October 19, 2008.

The Board discussed the Pandemic Flu Business Symposium held on January 31, 2007 in Roseau. The Board agreed that Roseau County needs to complete a Continuity of Operations Plan (COOP). Emergency Manager Gracia Nelson can help finalize the plan, but each department needs to complete their individual plan. Because the plan requires departments to identify themselves according to priority and then plan to cross train to be able to support other departments, the most effective plan development would be a collaborative planning session. The Management Team is scheduled to meet on February 14, 2007. Ms. Nelson will provide a pandemic flu training and conduct a COOP work session. Commissioner Swanson will also attend.

The Board discussed the 2007 International Lake of the Woods Water Quality Forum scheduled for March 7th and 8th in International Falls. The Board agreed by consensus that Roseau County should be represented at this forum. Commissioner Johnston will plan on attending. In the event he is unable to attend, he will contact another Board member to go in his place.

Northwest Minnesota Multi-County Housing Rehabilitation Authority's request for support of a legislative change to MN Statutes 469.033 Subd. 6 to permit HRA's to levy up to 25% of the allowed 0.0144% of taxable market values. This would amount to \$31,052 for Roseau County. If passed, this special legislation would be in effect for four years and the levy would go on property taxes as a special assessment. The Board by consensus agreed to stay neutral on this request.

The Board discussed the Chief Deputy hire. The hiring committee interviewed four finalists for the position. Terry Bandemer from Todd County was the number one ranked candidate and Sheriff Jule Hanson has offered him the position. His official hire date is March 5, 2007 pending successful completion of the POST pre-appointment standards. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried to adopt the following resolution:

2007-02-04

BE IT RESOLVED, that the Board does hereby approve the appointment of Terry Bandemer as Chief Deputy effective March 5, 2007 pending successful completion of all POST pre-appointment standards.

The Board discussed the Roseau County Highway Employee Association contract. The negotiation committee consisting of Commissioners Rasmussen and Swanson reported that the Association agreed to a one-year contract and accepted the 3% cost of living increase. The Association has also agreed to the one-year trial of compensatory time based on hours worked in excess of 8. This language would be in a memo of understanding and would not become part of the contract document itself. The Board discussed the policy on how compensatory time is utilized. There appears to be a difference of opinion between management and at least some Highway Department employees. It is management's understanding that they can set a maximum amount of comp time that employees can have and request employees to either take that time to reduce the amount or take the time and go home when there is not work for them to do. The Board agreed to defer action on approval of the contract until a policy can be developed and provided to employees so they fully understand the comp time policy. Coordinator Klein will contact labor attorney Terrance Foy to get a legal opinion on this matter.

HIGHWAY DEPARTMENT

Engineer Brian Ketring met with the Board. Mr. Ketring provided the Board with a revised potential 2007 and 2008 road and bridge construction schedule. Completion of this construction schedule would require bonding in year 2008. No action was taken.

Mr. Ketring provided the Board with a county-wide road realignment plan. This plan was developed to maximize funding for roads in Roseau County. No action was taken.

PEMBINA TRAIL RESOURCE CONSERVATION AND DEVELOPMENT APPOINTMENT

Pembina Trail Resource Conservation and Development Coordinator Shawn Balstad met with the Board to introduce herself as the new coordinator and to present the annual report. The mission of the RC& D is to provide leadership and assistance in coordinating the development of human and natural resources. Projects impacting Roseau County during 2006 include a 2006 NW Minnesota grazing tour, dead animal pickup, and a biomass gasification project.

The Board discussed the data of the Management Team retreat. Consultant Don Salverda has offered the dates of March 6, 2007 and April 3, 2007. The Board concurred that April 3, 2007 would be the preferred date.

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 February 27, 2007.

Attest:

Date: _____

Teresa Klein
County Coordinator

Jack Swanson
Board Chairman