

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

June 26 2007

The Board of Commissioners of Roseau County, Minnesota met in the courthouse in the City of Roseau, Minnesota on Tuesday, June 26, 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 Mark Foldesi, Orris Rasmussen, Jack Swanson, Alan Johnston, and Russell Walker.

APPROVAL OF AGENDA

Approval of Proceedings was removed from Consent Agenda and added to Discussion. Approval of J-005 Change Order were removed from Consent Agenda and added to the 9:30 appointment with Klein McCarthy Architects. It was noted that the 8:45 appointment with a Greenbush City Council representative was cancelled. A motion was made by Commissioner Foldesi, seconded by Commissioner Walker, and carried by unanimous vote to approve the amended agenda.

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

CONSENT AGENDA

The Board, by adoption of its consent agenda, approved the 2007-2009 Unorganized Fire Protection Contract between Roseau County and the City of Roseau.

The Board, by adoption of its consent agenda, set the Public Hearing date on Proposed Ordinance No. 35 – Administrative Offense Procedures for August 14, 2007 at 10:00 am.

The Board, by adoption of its consent agenda, approved a battery back-up solution for networking hardware for the new social services building, old social service building, and the courthouse data room from Provantage Computer Products in the amount of \$2,142.23.

The Board, by adoption of its consent agenda, approved a three-year AS/400 Maintenance Contract with IBM in the amount of \$13,232.80.

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

WARRANTS APPROVED ON 6/26/2007 FOR PAYMENT 6/29/2007			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1375.00	AMERICAN PUBLIC UNIVERSITY SYS	823.96	ARROWWOOD RESORT & CONFERENCE
611.95	DELL MARKETING LP	1225.34	FARMERS UNION OIL CO-WARROAD
458.95	FRANK'S TV REPAIR	3140.54	GARTNER REFRIGERATION CO
474.08	GRAINGER INC	917.03	HAMMER SANITATION
454.15	HILLYARD HUTCHINSON	440.00	CURT IRELAND
12943.45	KLEIN MCCARTHY & CO LTD ARCHIT	357.17	TERESA KLEIN
3500.00	LAKE OF THE WOODS CO SHERIFF	425.00	LEAGUE OF MN CITIES
350.00	O'NEIL LUND	345.70	LUTSEN RESORT
705.31	MATTSON PHARMACY INC	625.29	NORTHLAND TIRE

900.00	PATRICK NOVACEK	366.98	PENNINGTON CO SHERIFF
742.50	PRO-WEST & ASSOCIATES INC	497.02	ROSEAU CO COOP ASSN
844.70	ROSEAU CO HOME HEALTH CARE INC	378.30	LORNA SANDVIK
401.70	STACEY SKALSKY	562.75	WEST GROUP PAYMENT CENTER
42 PAYMENTS LESS THAN \$300		4,401.70	
****		FINAL TOTAL.....	\$38,268.57 ****

And the summary of auditor warrants, as follows:

6-14-07	\$ 63,328.40
6-21-07	\$ 292,196.91

COMMITTEE REPORTS

The Board heard the following committee and other meeting reports: i.) Extension Committee; ii.) Building Committee; iii.) Roseau Community Meeting; iv.) MCIT Annual Coverage Review Session; v.) Board of Appeal and Equalization; vi.) Roseau River Watershed; vii.) Committee of the Whole Department Head Continuity of Operations Planning Session; viii.) Extension Committee Emerging Leaders Selection Meeting; ix.) Joint Roseau County/Roseau River Watershed Meeting; x.) Highway Department Committee Meeting; xi.) Northwest Regional Development Committee on Aging; xii.) Barto-Polonia Public Hearing on Road Revocation; xiii.) Northwest Community Action; xiv.) Kids N Us Board Meeting; and xv.) Prevention Coalition Meeting.

KLEIN MCCARTHY ARCHITECTS

Klein McCarthy architects John Howell and Scott Fettig met with the Board to provide a social service and jail construction update. Mr. Howell presented the Board with a Certification of Substantial Completion and requested the Board accept the Social Services building. Social Service staff took occupancy of the new building on June 11, 2007. A motion was made by Commissioner Johnston, seconded by Commissioner Rasmussen and carried by unanimous vote to adopt the following resolution:

2007-06-07

BE IT RESOLVED, that the Board does hereby accept ownership of the new Roseau County Social Services building located at 208 6th St SW, Roseau, MN.

BE IT FURTHER RESOLVED, that the Board authorized Chair Swanson to sign the Certification of Substantial Completion on behalf of Roseau County.

The Board discussed Change Order J-005. The Board discussed the Building Committee's request to remove Item No. 1: Credit for installing clear SG-2 polycarbonate glazing surrounding dispatch center in the amount of \$7,636 from the change order prior to approving it. A motion was made by Commissioner Rasmussen, seconded by Commissioner Foldesi, and carried to adopt the following resolution:

2007-06-08

BE IT RESOLVED, that the Board does hereby approve Change Order J-005 with the exception of Item No. 1: Credit for installing clear SG-2 polycarbonate glazing surrounding dispatch center in the amount of \$7,636.

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

Mr. Howell noted that the jail is now at 76% completion and that completion remains on schedule for October, 2007.

The Board discussed the paving of the west Courthouse parking lot. An estimate of \$10,680 was given to mill the old section of the parking lot and lay a new layer of asphalt. The Board also received an estimate of \$10,300 to add drain tile and storm sewer connections to this portion of the parking lot. It was advised by the Klein McCarthy Architects and ICS, Inc. that the drain tile was not needed due to the drainage work that was done as part of the new parking area construction. After consideration, the Board concurred that they would approve milling and adding a new layer of asphalt to the old portion of the west parking lot upon review and approval of the County Engineer.

TREASURER

Treasurer Diane Gregerson presented Miriam Buchanan of Greater Minnesota Management and Lee Meir of Northwestern Minnesota Housing and Redevelopment Authority to discussed Payment in Lou of Taxes (PILOT) on the three Greater Minnesota Management Company properties that are located in Roseau County. It was noted that Roseau County is tenth on the flow chart for payment meaning that a request is submitted to the property management corporation for payment of PILOT and that payment of the request is determined by whether or not enough money remains in the account after the other nine payment priorities have been met. Ms. Buchanan noted that it is the intent to pay the PILOT, but that there are occasionally unforeseen circumstances that prevent it.

Chair Swanson recessed the meeting at 10:40 am and reconvened the meeting at 10:50 am.

DISCUSSION

The Board discussed the request from Norman Subdivision property owners to waive the recording fees that will result from having the subdivision re-surveyed and new legal descriptions written. This matter relates to a request in June of 2006 for the Board to address a surveying error that was made in the original plat of this subdivision. The Board advised property owners at that time that the County Surveyor responsible for the original survey was acting as an independent contractor when he did the survey work and not in the capacity of the County Engineer and that any errors in that survey would have to be handled privately. The landowner group has now had the subdivision re-surveyed and new legal descriptions written. Coordinator Klein advised the Board that the recording fee is \$46 and of that \$10.50 is a state surcharge that cannot be waived and that additionally there is a \$1.65 deed tax that would still have to be paid. A motion was made by Commissioner Rasmussen, seconded by Commissioner Johnston, and carried to adopt the following resolution:

2007-06-09

BE IT RESOLVED, that the Board does hereby authorize the Recorder's Office waive any recoding fees associated with the re-surveying Norman Subdivision with the exception of any state surcharges that must be paid.

The Board discussed the upcoming administrative hearings on the MN DNR proposed permanent rule change relating to drainage on Consolidated Conservation land. A planning session to select speakers and organize talking points was set for Thursday, June 28, 2007 at 1:00 pm at the Roseau River Watershed. Coordinator Klein will notice this meeting as a Committee of the Whole.

The Board discussed the Roseau River Watershed District request to fund cleaning of debris from the Nyerson Bridge. Roseau River Watershed District Manager Todd Miller spoke on behalf of the Watershed District. It was agreed to form a subcommittee of city, county, and Roseau River Watershed members to address this matter.

ROSEAU COUNTY BOARD OF APPEAL AND EQUALIZATION RECONVENING

Chair Swanson recessed the regular Board meeting at 11:30 am to reconvene the Roseau County Board of Appeal and Equalization. Chair Swanson reconvened the regular board meeting at 1:00 pm.

HIGHWAY DEPARTMENT

Engineer Ketring met with the Board. Mr. Ketring requested the Board pass a resolution revoking CSAH No. 23. Mr. Ketring advised the Board that the Public Hearing on this matter was held on June 13, 2007 and that no opposition was expressed and that both the Barto and Polonia Township Boards are in favor of this revocation. A motion was made by Commissioner Foldesi, seconded by Commissioner Rasmussen, and carried to adopt the following resolution:

2007-06-10

Resolution Revoking County State Aid Highways

WHEREAS, the County Board of Roseau County, pursuant to Minnesota Statutes § 163.11, subd. 5, desires to revoke the following county road:

County State Aid Highway No. 23 beginning at the intersection of CR No. 101 running east to CSAH No. 7 as presently located and there terminating, containing 5.0 miles (on the south side of Sections 15, 16, 17, & 18, T161N, R43W –Barto and the south side of Section 13, T161N, R44W-(Polonia); and

WHEREAS, it is the intent of the Board of Roseau County Commissioners and the township boards of Barto and Polonia Townships that the above-described county state aid road shall be revoked and designated as a township road in the townships of Barto and Polonia; and

WHEREAS, Barto and Polonia townships agree that they will not request that the County maintain the revoked highway for the two-year statutorily required period from the date of the revocation pursuant to Minnesota Statute § 163.11, Subd. 5b and Barto and Polonia townships will be responsible for all maintenance on said road from the date of the revocation and thereafter; and

WHEREAS, a hearing was held pursuant to Minnesota Statute § 163.11 Subd. 5a on June 13, 2007, at 7:00 p.m., at the Barto Town Hall located on county State Aid Highway No. 7 north of the City of Greenbush in Barto Township;

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Roseau that the road described as follows: County State Aid Highway No. 23 beginning at the intersection of CR No. 101 running east to CSAH No. 7 as presently located and there terminating, containing 5.0 miles (on the south side of Sections 15, 16, 17 & 18, T161N, R43W – Barto and the south side of Section 13, T161N, R44W-Polonia), be and hereby is revoked as a County State Aid Highway of said County.

BE IT FURTHER RESOLVED, that the designation of said road or portion thereof, be constructed, improved and maintained as a Barto Township Road and Polonia Township Road of the County of Roseau and that Barto and Polonia Townships will be responsible for all maintenance on said road from the date of the revocation and thereafter.

Mr. Ketring requested the Board review and approve an agreement with Barto and Polonia Townships regarding maintenance of the section of County State Aid Highway No. 23 that is being revoked and turned over to the townships. Mr. Ketring informed the Board that the agreement had been reviewed and approved by both Town Boards. A motion was made by Commissioner Foldesi seconded by Commissioner Rasmussen and carried to adopt the following resolution:

2007-06-11

BE IT RESOLVED, that the Board does hereby approve the Agreement between Roseau County and Polonia Township revoking, pursuant to Minnesota Statutes 163.11 subd. 5, County State Aid Highway No. 23 beginning at the intersection of CR. No 101 running east one (1) miles as presently located and there terminating, containing 1.0 mile (on the south side of Section 13, T161N, R44W in Polonia Township).

BE IT FURTHER RESOLVED, that it is the understanding per the agreement that Polonia Township shall vacate the two year statutorily required period of maintenance from the date of revocation pursuant to Minnesota Statutes 163.11, subd. 5a and Polonia Township shall take responsibility for all maintenance on said highway from the date of revocation and thereafter.

BE IT FURTHER RESOLVED, that the Board does hereby authorize Chair Swanson to sign the Agreement on behalf of Roseau County.

A motion was made by Commissioner Rasmussen seconded by Commissioner Foldesi and carried to adopt the following resolution:

2007-06-12

BE IT RESOLVED, that the Board does hereby approve the Agreement between Roseau County and Barto Township revoking, pursuant to Minnesota Statutes 163.11 subd. 5, County State Aid Highway No. 23 beginning at the intersection of CR. No 101 running east to CSAH No. 7 as presently located and there terminating, containing 4.0 miles (on the south side of Sections 15,16,17,18, T161N, R43W, Barto Township).

BE IT FURTHER RESOLVED, that it is the understanding per the agreement that Polonia Township shall vacate the two year statutorily required period of maintenance from the date of revocation pursuant to Minnesota Statutes 163.11, subd. 5a and Barto Township shall

take responsibility for all maintenance on said highway from the date of revocation and thereafter.

BE IT FURTHER RESOLVED, that the Board does hereby authorize Chair Swanson to sign the Agreement on behalf of Roseau County.

Mr. Ketring requested the Board award contracts to the lowest bidder on six FEMA ditch repair projects. The bid opening was held on June 18, 2007 at the Roseau County Courthouse. A motion was made by Commissioner Johnston, seconded by Commissioner Walker, and carried to adopt the following resolution:

2007-06-13

BE IT RESOLVED, that the Board does hereby award the following contracts for 1288 FEMA Ditch repair projects:

FEMA PW No. 274 to Horner Plumbing and Excavating in the amount of \$58,925.50
FEMA PW No. 273 to Wright Construction in the amount of \$122,684.35
FEMA PW No. 269 to Goulet Construction in the amount of \$153,165.28
FEMA PW No. 268 – Project 2 to R & Q Construction in the amount of \$74,751.36
FEMA PW No. 255 to Wright Construction in the amount of \$45,012.60
FEMA PW No. 254 – Project 1 to Holthusen Construction in the amount of \$55,242.75

Mr. Ketring requested the Board approve a call for bids on July 23, 2007 at 11:00 am on the remaining nine FEMA 1288 ditch repair projects and two FEMA 1648 ditch repair projects. A motion was made by Commissioner Johnston, seconded by Commissioner Foldesi, and carried to adopt the following resolution:

2007-06-14

BE IT RESOLVED that the Board does hereby approve a call for bids on July 23, 2007 at 11:00 am on the following FEMA 1288 ditch repair projects:

FEMA PW No. 273
FEMA PW No. 271 – Project 2
FEMA PW No. 271 – Project 3
FEMA PW No. 271 – Project 4
FEMA PW NO. 271 – Project 5
FEMA PW No. 267
FEMA PW No. 261
FEMA PW No. 265 – Project 1
FEMA PW No. 265 – Project 2
FEMA PW No. 481
FEMA PW No. 483

The complete bid specifications may be viewed on the Roseau County Web Site or obtained by contacting the Roseau County Highway Department.

Mr. Ketring requested the Board award a contract to the low bidder on the City of Greenbush bridge replacement project. The bid opening date was June 18, 2007. A motion

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

2007-06-15

BE IT RESOLVED, that the Board does hereby award a contract to low bidder Swingen Construction in the amount of \$434,754 on SAP 68-597-01: Bridge Replacement.

The Board met with Roseau River Watershed District Manager Todd Miller and Thief Lake Wildlife Management Area Manager Randy Prachar to discuss the Palmville Flood Damage Reduction Project. The project scope was discussed. Once the engineers report has been received, the Roseau River Watershed District Board will petition the Board to approve this maintenance project.

The Board reviewed Board Proceedings from the May 29, 2007 and June 12, 2007 regular Board meetings. A motion was made by Commissioner Rasmussen, seconded by Commissioner Johnston, and carried to approve the proceedings.

The Board acknowledged correspondence from the Roseau Soil and Water Conservation District Manager Scott Johnson regarding the Wetland Appeal on Lot 8, Block 9 of War-Road Estates Subdivision, Unit 2.

Upon motion carried, the meeting adjourned at 1:45 p.m. The Board will convene its next regular meeting at 8:30 a.m. on July 10, 2007.

Attest:

Date: _____

Teresa Klein
County Coordinator

Jack Swanson
Board Chairman