PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

August 11, 2009

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, August 11, 2009, at 8:30 a.m.

CALL TO ORDER

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

APPROVAL OF AGENDA

The appointment of Administrative Assistant Ann Marie Miller as Board Clerk for the time Coordinator Trish Klein will be on sick leave was added to the consent agenda. A motion to approve the agenda was made by Commissioner Walker, seconded by Commissioner Foldesi and carried unanimously.

CONSENT AGENDA

The Board, by adoption of its consent agenda, approved proceedings from the August, 4, 2009 Board Meeting.

The Board, by adoption of its consent agenda, approved proceedings from the Public Hearing held July 7, 2009.

The Board, by adoption of its consent agenda, approved the appointment of Ann Marie Miller as Board Clerk from August 12, 2009 – September 21, 2009 to perform the duties of a clerk while Coordinator Trish Klein is out on medical leave.

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

WARRANTS APPROVED FOR PAYMENT 7/30/2009

AMOUNT	*VENDOR NAME*	*AMOUNT*	*VENDOR NAME*
1351.58	ASSURANT EMPLOYEE BENEFITS	2178.10	CAPITAL GUARDIAN TRUST CO
527.00	E & L ELECTRIC CO	1383.40	BRIAN HARDWICK P.A.
644.26	MARVIN HOME CENTER	604.00	MCCOURT KEVIN
837.83	MN CHILD SUPPORT PAYMENT CENTE	474.65	MN ENERGY RESOURCES
1717.31	MN MUTUAL LIFE INSURANCE	640.00	MN NCPERS GROUP LIFE INS
3127.48	NATIONWIDE RETIREMENT SOLUTION	20000.00	NW MN MENTORING PROGRAM
53925.00	NW MN SERV COOP-BLUE CROSS BLU	8913.00	ROSEAU ROOFING & REMODELING
500000.00	SECURITY STATE BANK	631.35	SELECT ACCOUNT ADM
7840.80	SELECT ACCOUNT-VEBA	355.20	VERIZON WIRELESS
4000.00	WYNNE CONSULTING INC		

11 PAYMENTS LESS THAN $300 966.22

****** FINAL TOTAL..... $610,117.18 ******

WARRANTS APPROVED FOR PAYMENT 8/06/2009

AMOUNT	*VENDOR NAME*	*AMOUNT*	*VENDOR NAME*
375.00	ANDERSON LAW OFFICE STEVEN A	2912.81	CENTURYTEL

710.50	DUFFY LAW OFFICE	327.65	BRIAN HARDWICK P.A.
18502.86	HOLTHUSEN CONSTRUCTION INC	435.00	KARLSSON LAW OFFICE
2313.00	MN DEPT OF FINANCE-TREAS		

5 PAYMENTS LESS THAN $300 889.66

****** FINAL TOTAL..... $26,466.48 ******

WARRANTS APPROVED FOR PAYMENT 8/06/2009

AMOUNT	*VENDOR NAME*	*AMOUNT*	*VENDOR NAME*
2239.83	TOWN OF BEAVER	1073.14	TOWN OF CEDARBEND
687.77	TOWN OF DEWEY	957.95	TOWN OF DIETER
666.64	TOWN OF GOLDEN VALLEY	394.87	TOWN OF GRIMSTAD
1651.45	TOWN OF LAKE	1090.69	TOWN OF LAONA
598.10	TOWN OF NERESON	1491.03	TOWN OF PALMVILLE
2991.65	TOWN OF POHLITZ	1925.42	TOWN OF POPLAR GROVE
900.87	TOWN OF REINE	374.28	TOWN OF SOLER

11 PAYMENTS LESS THAN $300 969.83

****** FINAL TOTAL..... $18,013.52 ******

WARRANTS APPROVED ON 8/11/2009 FOR PAYMENT 8/14/2009

AMOUNT	*VENDOR NAME*	*AMOUNT*	*VENDOR NAME*
661.41	ACE HARDWARE-ROSEAU	327.94	APPLE TIME INC
1110.00	BEITO REPAIR	540.19	BERGAN TRAVEL INC
63271.38	BOEC FOR ZIEGLER RENTAL	570.00	BREEZY POINT RESORT
808.52	CDW GOVERNMENT INC	412.50	FRED CLASEN
3493.08	CRT PROCESSING LLC	1025.36	CUMMINS NPOWER LLC
560.00	D & L SUPERVAC	709.69	TONY DORN INC
4296.85	DUSTCOATING INC	3027.78	FARMERS UNION OIL CO-LK BRNSN
4285.28	FARMERS UNION OIL CO-WARROAD	20785.42	GOULET CONSTRUCTION
1536.00	GRAFF CONSTRUCTION	1045.00	HELGESON FUNERAL CHAPEL INC
1031.34	HOLTE IMPLEMENT INC	10459.01	HORNER PLUMBING & EXCAVATION
385.94	PATRICIA IGNASZEWSKI	6212.55	JOHNSON OIL CO INC
4454.55	JOHNSTON FARGO CULVERT INC	568.44	KOFSTAD SIGNS
311.25	LIFECARE MEDICAL CENTER	32329.80	MAR-KIT LANDFILL
425.00	MINNESOTA CLE	1334.29	MN DEPT OF TRANSPORTATION
744.20	MULTI OFFICE PRODUCTS INC	400.00	NORTH COUNTRY WEBSITES
15517.73	NORTHERN RESOURCES COOPERATIVE	2356.19	NORTHLAND TIRE
314.03	PEART & ASSOCIATES INC	374.95	POWER PLAN
2115.06	PRAXAIR	2370.72	PTS OF AMERICA, LLC
2412.00	R & Q CONTRACTING INC	4367.50	RATWIK, ROSZAK & MALONEY, PA
2984.01	RIVERFRONT STATION	1150.56	ROSEAU AUTO VALUE
462.76	ROSEAU CLEANING SYSTEMS	10673.81	ROSEAU CO COOP ASSN
430.05	ROSEAU CO TREASURER	346.44	ROSEAU DIESEL SERVICE INC
316.75	ROSEAU TIMES REGION AND	3180.96	SJOBERG'S INC
1220.67	THE HUNTING SHACK INC	908.14	TITAN ACCESS ACCOUNT
626.59	TITAN MACHINERY	93786.48	TWIN CITIES MACK & VOLVO TRUCK
375.00	MARK WOJCIECHOWSKI	750.87	ZIEGLER INC

53 PAYMENTS LESS THAN $300 6,595.65

****** FINAL TOTAL..... $320,759.69 ******

COMMENTS AND ANNOUNCEMENTS

Commissioner Rasmussen announced that he will be attending the Watershed Project Work Team for Norland Impoundment August 11, 2009 at 3:00 p.m.

Commissioner Swanson announced that he would like to attend a trail planning workshop with the DNR and Northwest Regional Development Center.

The Board acknowledged the letter from DNR Regional Director Mike Carroll regarding Beltrami Island State Forest water retention.

COMMITTEE REPORTS

Commissioner Foldesi reported on the following committee meetings: DNR Land Asset Pilot Project meeting, 8/4/09: Discussed land exchanges between Roseau County and the MN DNR; Two Rivers Watershed meeting, 8/5/09: Discussed ditch violations and County Road 23. The Two Rivers Watershed Board requested a verbal commitment from Roseau County Board to re-build County Road 23. The Board directed Highway Engineer Brian Ketring to compose a letter to the Two Rivers Watershed Board notifying them that the County Board cannot commit to re-building County Road 23 due to funding restrictions. Highway Committee meeting, 8/10/09: Discussed budget shortfall.

Commissioner Johnston had no meetings to report.

Commissioner Rasmussen reported on the following committee meetings: Two Rivers Watershed meeting, 8/5/09: Discussed ditch violations and County Road 23.

Commissioner Swanson reported on the following committee meetings: Roseau Economic Development Authority, 7/29/09: Discussed survey of county economic development appropriations; Roseau Convention and Visitors Bureau, 8/3/09: Discussed proposed OHV park north of Greenbush; Roseau River Watershed Board, 8/5/09: Discussed pending lawsuit filed by Minnesota Center for Environmental Advocacy related to drainage issues in a ditch jointly maintained by two counties. Criminal Justice Coordinating Committee, 8/5/09: Discussed incorporating tracking of mental health cases on Crimestar; Northern Counties Land Use Coordinating Board, 8/6/09: Discussed carbon credits, plasma gasification and 2010 budget; DNR Land Asset Pilot Project, 8/7/09: Discussed land exchanges between Roseau County and the MN DNR, KaMaR, 8/10/09: Discussed 2010 budget.

Commissioner Walker reported on the following committee meetings: Minnesota Bovine TB Stakeholders Conference, 7/22-23, 2009: Served on panel to answer questions from multi-state agencies; received commendation from surrounding states on bovine TB efforts in Roseau County; Highway Committee Meeting, 8/10/09: discussed budget shortfall.

ENVIRONMENTAL SERVICES OFFICER

Environmental Services Officer Jeff Pelowski met with the Board to request approval to purchase a pup trailer. Pelowski requested quotes from three vendors but only received one. A motion to approve a quote from Sanitation Products in the amount of $28,734.00 for a Galbreath pup trailer was made by Commissioner Walker, seconded by Commissioner Johnston and carried unanimously.

Mr. Pelowski requested the Board consent to the removal of inventory items from the Transfer Station. The Board directed Mr. Pelowski to put the 1972 GMC Truck with Hawk Boom Loader and Case W9G front-end loader out for bid and have all other items sold for scrap.

Mr. Pelowski commended the Highway Department for their help in the operation of the Transfer Station while in the process of employee change over.

HIGHWAY DEPARTMENT

Highway Engineer Brian Ketring met with the Board to request approval of a resolution allowing the transfer of accumulated balances from the Municipal Fund to the regular construction account. A motion was made by Commissioner Johnston, seconded by Commissioner Walker and carried unanimously to adopt the following resolution:

2009-08-

WHEREAS, Minnesota Statute 162.08, Subd 4 (3d), provides that accumulated balances in excess of two years of municipal account apportionments may be spent on projects located outside of municipalities under 5000 population when approved solely by resolution of the county board.

NOW, THEREFORE, BE IT RESOLVED, that the Roseau County Board transfer $200,000.00 (all funds) in excess of two years apportionment into the Regular Construction Account.

Engineer Ketring reported to the Board that FEMA has completed their assessment of the damage in Roseau County resulting from the spring high water event. Roseau County will be allocated approximately 5.45 million dollars to repair roads and ditches affected by the spring high water event. Mr. Ketring commended the efforts of Mr. Morris Hulst who worked as a liaison between Roseau County and FEMA providing an invaluable service to the County. The Board asked Mr. Ketring to express their appreciation for all of his efforts.

Engineer Ketring reported to the Board that the MPCA visited Roseau County on 8/6/09 to do an inspection on County Road 139. The inspection was due to a constituent concern over using crushed glass combined with gravel as a road surface. The road was inspected and found to be well within regulation. The Highway committee will research whether or not to continue using this supply of gravel in the future. Commissioner Foldesi raised the question of whether or not the County should be responsible for repairing vehicle tires damaged due to crushed glass on county roads. Engineer Ketring stated that MCIT would be responsible for investigating claims and would then determine whether or not the county is liable for repair.

Engineer Ketring presented the Board with an Amended ATV Ordinance for their approval. The amended ordinance contains an updated list of County State Aid Highways and County Roads. A motion was made by Commissioner Walker, seconded by Commissioner Johnston and carried unanimously to adopt the following ATV Ordinance:

ROSEAU COUNTY ORDINANCE NO. 33
Amended 8-11-09
ROSEAU COUNTY ORDINANCE
FOR THE MANAGEMENT OF ALL TERRAIN VEHICLES
IN THE PUBLIC RIGHT OF WAY ON CERTAIN ROADS
WITHIN THE COUNTY'S JURISDICTION

THE COUNTY OF ROSEAU DOES ORDAIN:

Subdivision 1. Findings, purpose and intent.

Minnesota Statutes § 84.82-84.928 generally regulate the use of all terrain vehicles within the right of way for trunk highways, county state aid highways, and county roads. Consistent with these statutes, and to provide for the health, safety and welfare of its citizens, and to ensure the integrity of roads falling under the jurisdiction of Roseau County, this Ordinance is enacted to regulate the use of all terrain vehicles on county state aid highways and county roads within Roseau County.

Pursuant to Minnesota Statutes § 84.928, subd. 6(c), the County makes the following findings:

1. That the following County State Aid Highways and County Roads exist throughout Roseau County:

- County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
- County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
- County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
- County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)

County State Aid Highway 6
- County State Aid Highway 8
- County State Aid Highway 10
- County State Aid Highway 11
- County State Aid Highway 12
- County State Aid Highway 13
- County State Aid Highway 14
- County State Aid Highway 15
- County State Aid Highway 16
- County State Aid Highway 17
- County State Aid Highway 18
- County State Aid Highway 19
- County State Aid Highway 20
- County State Aid Highway 21
- County State Aid Highway 22
- County State Aid Highway 23
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- County State Aid Highway 43

•County State Aid Highway 44
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•County Road 144
•County Road 147
•County Road 148
•County Road 149

2. That the above County State Aid Highways and County Roads are in an area of the County that is generally flat and contains numerous and extensive lowlands.

3. That the terrain adjacent to the above roads is such that travel by all terrain vehicles in the ditch or outside slopes for such roads is not possible.

Subdivision 2. Definitions.

The following definitions apply to this Ordinance.

1. **ATV** or **All Terrain Vehicle** shall mean a motorized flotation-tired vehicle of not less than three, but not more than six, low pressure tires, with an engine displacement of less than 800 cubic centimeters, and a total dry weight of less than 900 pounds.

2. **County** means the County of Roseau, Minnesota.

3. **County State Aid Highway** or **CSAH** means the following roads located in Roseau County:

•County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
•County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
•County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
•County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)
County State Aid Highway 6
•County State Aid Highway 8
•County State Aid Highway 10
•County State Aid Highway 11
•County State Aid Highway 12
•County State Aid Highway 13
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•County State Aid Highway 16
•County State Aid Highway 17
•County State Aid Highway 18
•County State Aid Highway 19
•County State Aid Highway 20
•County State Aid Highway 23
•County State Aid Highway 24
•County State Aid Highway 28
•County State Aid Highway 30
•County State Aid Highway 33
•County State Aid Highway 34
•County State Aid Highway 35

4. County Road means the following roads located in Roseau County:

•County Road 101
•County Road 102
•County Road 103
•County Road 104

•County Road 105
•County Road 106
•County Road 107
•County Road 108
•County Road 109
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•County Road 112
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Subdivision 3. Permitted Operation of ATVs on certain roads in Roseau County.

1. Except as provided below and in Minnesota Statutes § 84.928, subd. 1(e), it shall be unlawful for any person to operate an all terrain vehicle on the roadway, shoulder or inside bank or slope of any County State Aid Highway or county road within Roseau County.

2. It shall be permissible to operate an all terrain vehicle on the roadway on the following County State Aid Highways and County Roads within Roseau County:

- County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
- County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
- County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
- County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)

County State Aid Highway 6

- County State Aid Highway 8
- County State Aid Highway 10
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3. Persons operating all terrain vehicles on any of the roadways listed above must operate the all terrain vehicle on the extreme right hand side of the road, making left turns across the road only if it is safe to do so under prevailing conditions.

4. Persons operating all terrain vehicles within the right of way of any of the roadways listed above shall not operate their ATV on the inside slope, ditch bottom or outside slope of the right of way, unless such operation is otherwise permitted by appropriate trail designation or signage.

5. Except as otherwise provided in this Ordinance, all operation of all terrain vehicles shall be in compliance with Minnesota Statutes § 84.92-84.928, as well as any other federal, state, or local rule or regulation.

Subdivision 4. Effective Date.

This ordinance shall be in full force and effect upon adoption pursuant to Minnesota law.

NORTHWEST COMMUNITY ACTION

John Wynne met with the Board on behalf of Northwest Community Action to request approval of a resolution of Support for Administration of Homeless Prevention and Rapid Re-Housing Program. The grant funded program provides financial assistance for homelessness prevention to re-house singles, families or unaccompanied youth who meet HUD's definition of homelessness. NWCA must have a resolution of support from the Roseau County Board in order to administer the program. A motion to approve the Resolution of Support was made by Commissioner Johnston, seconded by Commissioner Rasmussen and carried unanimously.

John Wynne requested authorization to submit a pre-application to the State of Minnesota in order to receive a small cities grant for housing rehabilitation funding. This grant would focus primarily on providing affordable housing options for those in rural areas of Roseau County. A motion to authorize Mr. Wynne to submit the pre-application was made by Commissioner Swanson, seconded by Commissioner Rasmussen and carried unanimously.

Commissioner Swanson recessed the Board meeting at 10:45. The meeting reconvened at 11:00 a.m.

DISCUSSION

The Board discussed the land asset pilot project at length during committee reports. Commissioner Foldesi informed the Board that for the first land transaction the DNR would prefer to buy and sell land outright as opposed to trading parcels of land. The committee will meet on August 19, 2009 to further clarify procedures for land acquisition or sale.

Auditor Anne Granitz met with the Board to discuss 2010 County appropriations, miscellaneous budget items and unorganized township budgets. Commissioners Foldesi, Rasmussen and Walker will prepare the 2010 budgets for the unorganized townships they represent and recommend 2010 tax levies at the August 25, 2009 meeting.

The Board was asked to review appropriation requests for discussion and approval at the August 25, 2009 Board Meeting.

The Board discussed County Apportionment of Payment in Lieu of Taxes in unorganized townships. To date these funds are allocated to the general fund. Minnesota Statute states that the county may allocate the amount determined to be necessary for maintenance for roads in unorganized townships. The Board was asked to review the current statute and determine if PILT payments should continue to be deposited in the general fund for property tax levy reduction or if the PILT payments should be distributed to the specific township for which the payment has been received.

The Board discussed nominations for the One Woman 2010 campaign. The Board discussed nominating a woman from an unorganized township who has served in the U.S. military. Veteran's Service officer Jeff Parker was asked to review possible candidates with Commissioners Johnston and Walker and report back to the Board with a nomination.

Coordinator Klein addressed the Board regarding interoffice communication. Ms. Klein noted that it is a policy of Roseau County to foster open communication with internal and

external customers and would like to see all employees prompt and courteous with e-mails, correspondence and telephone calls.

ASSESSOR'S OFFICE

County Assessor Al Heim met with the Board to request advertising for the position of Assessor II in the Roseau County Assessor's office. A motion to approve advertising for the position of Assessor II was made by Commissioner Foldesi, seconded by Commissioner Walker and carried unanimously. Commissioners Foldesi and Swanson agreed to serve on the selection committee.

Upon motion carried, the Board adjourned the regular meeting at 1:00 p.m. The next regular meeting of the Board is scheduled for August 25, 2009 at 8:30 a.m.

Attest: Date: _____

_____ _____

Ann Marie Miller, Board Clerk
Roseau County, Minnesota

Jack Swanson, Chairman
Board of County Commissioners
Roseau County, Minnesota