



Board of Commissioners

606 5th Ave. SW, Room #131

Roseau, MN 56751

Phone: 218-463-4248

Fax: 218-463-3252

AGENDA

Tuesday, June 8, 2010 8:30 a.m.

Notice is hereby given that the Board of Commissioners of Roseau County will meet in session on June 8, 2010 at 8:30 am in the Roseau County Courthouse, Room 110, Roseau, MN, at which time the following matters will come before the Board:

8:30 Call to Order

1. Presentation of Colors
2. Approve Agenda

8:35 Comments and Announcements

8:45 Consent Agenda

1. Approve Proceedings from 5/25/10 Regular Board Meeting and 5/26/10 Special Meeting
2. Accept Amendments to the State of MN Communications Facility Use Agreement for the Warroad and Greenbush Towers
3. Accept Emergency Management Performance Grant #2010 EMPG-00660
4. Accept Hazardous Materials Emergency Preparedness Grant #2010-HMEP-00537
5. Approve Recorder's Office State of Minnesota Satellite Office Agreement
6. Accept Resignation of County Auditor Effective June 30, 2010
7. Approve Part-time Deputy Hire

9:00 Public Hearing on Dept of Transportation Petition on JD 61

9:15 Public Hearing on SD 69 Lateral 1 Moose Township Section 3 & 4

10:45 Highway Department

1. Call for Bids - CSAH 76 and the Greenbush Care Center Project
2. Call for Bids - S.A.P. 68-599-90, Bridge No. 68J35 (Spruce/Enstrom Township)
3. Call for Bids - S.A.P. 68-599-91, Bridge No. 68J36 (Reine Township)
4. Acknowledge Success of Bridge Installation on the East Diversion Project

11:00 Discussion

1. Interim Auditor Appointment
2. Joint Lake of the Woods/Roseau County Meeting to Discuss Growing Narcotics Problem
3. Malung Stream Gage
4. 2010 Fair Booth and Parade
5. Old Law Enforcement Center Parking Lot

11:55 Future Agenda Items

12:00 Adjourn

To schedule an appointment with the Board, please contact the County Coordinator at 218-463-4248

County Coordinator's e-mail address: trish.klein@co.roseau.mn.us

Roseau County Home Page Address: <http://www.co.roseau.mn.us/>

District 1, Alan Johnston, Chair - District 2, Jack Swanson -
District 3, Roger Falk - District 4, Russell Walker - District 5, Mark Foldesi, Vice-Chair

An Equal Opportunity Employer

ITEM # Consent 1
REQUEST FOR BOARD ACTION
 * Required Fields



*Person Responsible for Request Johnston, Alan	*Department Commissioner	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
 Approve Proceedings from 5-25 Regular Board Meeting and 5-26 Special Board Meeting

***Background (Provide sufficient detail of the subject):**
 Approve Proceedings from 5-25-10 Regular Board Meeting and 5-26-10 Special Board Meeting.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
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Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Falk						
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

May 25, 2010

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, May 25, 2010 at 8:30 a.m.

CALL TO ORDER

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

APPROVAL OF AGENDA

A motion to approve the agenda was made by Commissioner Swanson, seconded by Commissioner Falk, and carried unanimously.

COMMENTS AND ANNOUNCEMENTS

The Board discussed the following upcoming meetings: Water Management Summit on July 12, 2010, in St. Cloud; the 2010 Symposium on Small Towns and Rural-Urban Gathering June 9-10; 2010 in Morris, MN; the AMC District III meeting on May 27, 2010 in Warren; and the Special Meeting on May 26, 2010.

Commissioner Swanson informed the Board that he is interested in attending the Symposium on Small Towns. A motion was made by Commissioner Walker, seconded by Commissioner Falk, and carried unanimously to authorize Commissioner Swanson to attend the 2010 Symposium on Small Towns and Rural-Urban Gathering June 9-10; 2010 in Morris, Minnesota.

The Board discussed having a representative to the Red Board. The annual Joint Conference of the Red River Watershed Management Board and the Red River Basin Flood Damage Reduction Work Group is scheduled for June 23, 2010. It was agreed that the Roseau River Watershed can serve as the representative for Roseau County. Commissioner Johnston noted that water management is a big issue for Roseau County and the Board may want to reconsider that position.

Commissioner Swanson informed the Board that former AMC Executive Director Jim Mulder invited him to serve on a Rural Revitalization Task Force. Swanson explained that the outcome will be a white paper for publication. A motion was made by Commissioner Swanson, seconded by Commissioner Falk, and carried unanimously to authorize Commissioner Swanson, to serve on the Rural Revitalization Task Force.

CONSENT AGENDA

A motion to adopt the Consent Agenda was made by Commissioner Swanson, seconded by Commissioner Falk and carried unanimously.

The Board, by adoption of its Consent Agenda, approved proceedings from the May 11, 2010 Board Meeting; approved a Nuisance Beaver Policy; approved a professional

services contract for the compilation of required radio configurations data; and approved payment of bills as follows:

WARRANTS APPROVED FOR PAYMENT 5/13/2010

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1779.20	AMERITAS LIFE INSURANCE CORP	354.34	CANON FINANCIAL SERVICES INC
348.57	CENTURYLINK	1017.71	CP MANUFACTURING INC
333.29	HSBC BUSINESS SOLUTIONS	761.13	JOHNSON OIL CO INC
986.67	RACHEL KRAHN	493.50	MERITCARE
1052.00	MN DEPT OF FINANCE-TREAS	885.38	ROSEAU CITY
500.00	WYNNE CONSULTING INC		
		21 PAYMENTS LESS THAN 300	1,487.25
		**** FINAL TOTAL.....	\$9,999.04 ****

WARRANTS APPROVED FOR PAYMENT 5/20/2010

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
525.07	CANON FINANCIAL SERVICES INC	3349.43	CAPITAL GUARDIAN TRUST CO
4110.80	DAN ENGEN CONSTRUCTION	2050.00	RICHARD FAVER MA
4308.52	LAURE JOHNSON	1133.07	RACHEL KRAHN
709.17	MN CHILD SUPPORT PAYMENT CENTE	2523.00	MN DEPT OF FINANCE-TREAS
1303.83	MN ENERGY RESOURCES	3197.12	NATIONWIDE RETIREMENT SOLUTION
20000.00	NW MN MENTORING PROGRAM	10607.91	ROSEAU CITY
4960.00	SCOTT JOHNSON COMPANIES	7266.25	SELECT ACCOUNT-VEBA
2175.00	WYNNE CONSULTING INC		
		1 PAYMENTS LESS THAN \$300	247.50
		**** FINAL TOTAL.....	\$68,466.67 ****

WARRANTS APPROVED ON 5/28/2010 FOR PAYMENT 5/28/2010

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
8400.65	AVIANDS LLC	725.00	MARK BEITO
5827.90	CDW GOVERNMENT INC	440.00	CITY OF WARROAD
751.28	CRAGUN'S CONFERENCE CENTER	2961.44	DELL MARKETING LP
3781.16	DLT SOLUTIONS INC	306.26	ECOLAB
943.39	FARMERS UNION OIL CO-WARROAD	2436.00	FLEET SERVICES DIVISION
3500.00	GOVERNMENT MANAGEMENT GROUP IN	301.43	DAVE GRAFSTROM
755.85	GRAINGER INC	5138.48	HEPPNER CONSULTING INC
4830.79	JOHNSON OIL CO INC	1060.43	MARK JONES
736.09	LAKE COUNTRY CHEV BUICK PONTIA	960.00	ROXANNE LARSON
1794.55	LIFECARE MEDICAL CENTER	523.00	LIFECARE MEDICAL CENTER-HOME C
28132.20	MAR-KIT LANDFILL	1218.00	MATTSON PHARMACY INC
1144.50	MIDWEST MONITORING & SURVEILLA	630.00	MN ASSN OF COUNTY OFFICERS
700.00	MN OFFICE OF ENTERPRISES TECH	955.00	MN STATE AUDITOR
803.02	GRACIA NELSON	5808.04	NORTHERN RESOURCES COOPERATIVE
523.82	NORTHLAND TIRE	306.74	JEFF PARKER
920.40	PRECISION AUTO BODY & SALES	404.27	QUILL CORPORATION
610.00	RINKE-NOONAN LAW FIRM	4602.79	ROSEAU CITY
437.77	ROSEAU CO COOP ASSN	13439.30	ROSEAU CO HWY DEPT
744.80	ROSEAU CO SOCIAL SERVICE CTR	12719.60	ROSEAU CO SOIL & WATER CONS
429.55	ROSEAU COUNTY FORD	550.00	JAMIE SOVDE
2469.50	STATE OF MINNESOTA BCA	500.00	TW VENDING INC
4252.00	WARROAD CITY	2312.00	WEST GROUP PAYMENT CENTER
		48 PAYMENTS LESS THAN \$300	5,461.67
		**** FINAL TOTAL.....	\$136,248.67 ****

HIGHWAY DEPARTMENT ENGINEERS REPORT

Engineer Brian Ketring met with the Board to discuss the Roseau River Watershed District request to approve the Hay Creek Phase II permit. Mr. Ketring noted that he had just received a memorandum from Short Elliot Hendrickson, Inc. (SEH) who had completed

an independent review of the Hay Creek Setback Levees and Norland Impoundment project to determine if the project had the potential for any adverse impacts to the adjacent landowners. SEH concluded that based on their review of the information provided that the project would not adversely impact landowners. The memorandum noted three potential risks associated with the project. 1.) The system success relies on manual operations, and thus project success is contingent upon the ability of the owners to respond in a timely manner as outlined in the operation plan. 2.) Snowmelt and rainfall events used in the modeling for the project are hypothetical and thus will not reproduce what will actually occur in the watershed during a flood event and 3.) The Hay Creek confluence with Roseau River will be altered with the construction of the City of Roseau Flood Control Project. The Board asked Mr. Ketring if he had any hesitations to recommending that the Board approve the permit. Mr. Ketring stated that he did not have any objection but suggested the Board make permit approval contingent upon the inclusion of a Roseau County representative on the project maintenance and operations plan committee. A motion was made by Commissioner Swanson, seconded by Commissioner Falk, and carried unanimously to adopt the following resolution:

2010-05-04

BE IT RESOLVED, that the Board does hereby approve a permit for Phase II of the Hay Creek Setback Levees and Norland Impoundment project.

BE IT FURTHER RESOLVED that the Board does hereby approve this permit contingent upon a Roseau County representative being named to the Hay Creek Setback Levees and Norland Impoundment Project Maintenance and Operations Plan Committee.

COMMITTEE REPORTS

Commissioner Falk reported on the following committee meetings: Red River Basin Commission, 4/20/10; Solid Waste Committee Meeting 5/18/10; Roseau River Watershed District, 5/5/10; and Joint Powers Natural Resource Board, 5/24/10.

Commissioner Foldesi had no official committee reports.

Commissioner Johnston reported on the following committee meetings: Northwest Regional Development Commission, 4/27/10; Public Health Committee, 5/24/10.

Commissioner Swanson reported on the following committee meetings: Regional Radio Board, 5/12/10; AMC Future's Task Force, 5/13/10; AMC Future's Task Force, 5/14/10; Roseau County Committee on Aging, 5/17/10; Solid Waste Committee, 5/18/10; Northwest Minnesota Multi-County Housing and Redevelopment Authority, 5/19/10; Public Health Committee, 5/24/10.

Commissioner Walker reported on the following committee meetings: Bovine TB Task Force Meeting, 5/18/10.

ROSEAU COUNTY TRAILBLAZERS

Roseau County Trailblazer representatives Buck Bue, Terry Sizemore, and Greg Anderson met with the Board to present the 4th benchmark for approval and the 2010-11 Grant in Aid Application for the Pelan and BISF Trails. The Board discussed sponsor and

club roles and responsibilities and the development of a contract between Roseau County and the Trailblazers. Coordinator Klein will contact Area Trails & Waterways Supervisor Wade Miller and request a sample contract. A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to adopt the following resolution:

2010-05-05

BE IT RESOLVED, that the Board does hereby approve the Roseau County Trailblazers 2009-10 GIA Pelan and BISF Section 1, 4th benchmark.

The Board discussed the 2010-11 Grant-in-Aid Trail Maintenance and Grooming application. A motion was made by Commissioner Walker, seconded by Commissioner Swanson, and carried unanimously to adopt the following resolution:

2010-05-06

BE IT RESOLVED that Roseau County supports the Roseau County Trailblazers, Inc. Grant-in-Aid Proposal and agrees to act as legal sponsor for funding received from the State of Minnesota Department of Natural Resources for the maintenance and grooming of the Pelan Trail System and the Beltrami Island State Forest Section 1 Trail.

BE IT FURTHER RESOLVED that upon approval of its application by the state, Roseau County may enter into an agreement with the State of Minnesota and will comply will all applicable federal and state laws and regulations and conditions as stated in the agreement.

BE IT FURTHER RESOLVED that Roseau County hereby agrees to serve as the fiscal agent for the Roseau County Trailblazers, Inc and authorizes the Board Chair to sign all related documents on behalf of Roseau County.

DISCUSSION

Social Services Director Dave Anderson and Income Maintenance Supervisor Marlys Horvath met with the Board to review the Financial Worker hiring process. The hiring committee of Dave Anderson, Marlys Horvath, and Trish Klein made a unanimous recommendation to hire the number one ranked candidate Elizabeth Miller to fill this vacancy. It was noted that Ms. Miller has over a dozen years experience working in Social Services and 10 years experience doing the exact work that this position does in Roseau County. It was recommended that Ms. Miller be hired at a Grade 6 Step C to reflect the level of experience she will bring. By hiring someone who is fully trained and can begin working immediately, the county will save over \$11,595 in mandated training. Newly hired financial workers must complete three weeks of classroom training in St. Paul upon hire and another 146 hours of mandatory web based training. A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to hire Elizabeth Miller as a Financial Worker at a Grade 6 Step C.

The Board discussed the Malung stream gage. The DNR continues to be adamant that they are discontinuing funding of this telemetry USGS gage as one of eight real time USGS gage cuts. The DNR is sighting cost as its reason. There are 126 real time USGS gages in Minnesota. The DNR currently co-funds 36 of these gages. The DNR has 71

additional real time gages in Minnesota, 37 of these are for flood warning. The cost to maintain a USGS gage is \$15,600. The 50/50 DNR cost share is \$7,800. The average cost for the DNR to independently maintain a real time gage is \$6,300. Consequently, the DNR FY2010 budget reductions include a cut of eight USGS jointly funded gauges. The DNR states that they are committed to maintaining a statewide backbone and have selected gages to cut that will save money without jeopardizing the integrity of the entire system. The Board noted that the Malung gage is very important to Roseau County and is a key flood watch indicator. The Board will continue to work with the Roseau River Watershed District and the City of Roseau to request the DNR continue to fund this gage.

The Board discussed the District III County Report and Budget Planning presentations. Commissioner Johnston will work with Coordinator Klein on the development of the presentations. Commissioners are asked to forward information to include in the presentation to Ms. Klein.

The Board discussed the possibility of combining the offices of County Auditor and County Treasurer. 50 of the 87 counties have combined or reorganized the tasks of these offices. The Board had previously discussed this possibility and had thought that the retirement of one of the officers would provide an opportunity to do so without adversely affecting an officer. Unfortunately, Ms Granitz did not announce her intent not to file until the day filing opened and statute requires that the Board pass a resolution to combine the offices 30 days in advance of the opening of filing. The Board discussed combining offices as part of a larger plan to reorganize service delivery for greater effectiveness and efficiency. It was noted that the Board would not be able to do so at this time but that they wanted the public to know that combining offices is something the Board is considering. The Board discussed a study of the form and structure of county government as a means to gather information to determine whether combining the Auditor/Treasurer would be the right thing for Roseau County to do and to determine if there are other organizational structure changes that the Board may want to consider. Auditor candidates John Huss and Martha Monsrud were present for the discussion. A motion was made by Commissioner Foldesi, seconded by Commissioner Swanson and carried unanimously to authorize a study of the form and structure of county government in Minnesota.

The Board discussed the Law Enforcement Labor Service negotiation session scheduled for June 10, 2010 at 2:00 pm. Labor Attorney Terry Foy is compiling the Board's response to LELS's contract requests.

The Board discussed the Minnesota Center for Environmental Advocacy lawsuit. It was noted that attorney Paul Reuvers will be meeting with the Board in a special meeting on Wednesday, May 26, 2010 at 1:30 pm to provide a status report on the case.

Upon motion carried, the Board adjourned the regular meeting at 12:40 pm. The next regular meeting of the Board is scheduled for June 8, 2010 at 8:30 a.m.

Attest:

Date: _____

Teresa Klein, Board Clerk
Roseau County, Minnesota

Alan Johnston, Chair
Board of County Commissioners
Roseau County, Minnesota

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

May 26, 2010

The Board of Commissioners of Roseau County, Minnesota met in Special Session in the Courthouse in the City of Roseau, Minnesota on Wednesday, May 26, 2010 at 1:30 p.m.

CALL TO ORDER

The meeting was called to order at 1:30 p.m. by County Board Chairman Alan Johnston. The Pledge of Allegiance was recited. Commissioners present were, Alan Johnston, Jack Swanson, Mark Foldesi, and Russell Walker. Others present included Auditor Anne Grantiz, County Engineer Brian Ketring, County Coordinator Trish Klein, and MCIT attorney Paul Reuvers.

APPROVAL OF AGENDA

A motion to approve the agenda was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously.

CLOSED MEETING

MCIT Attorney Paul Reuvers met with the Board to discuss pending litigation related to a ditch cleaning project on Lateral 12 of SD No 72. Mr. Reuvers requested the Board close the meeting for this discussion. A motion was made by Commissioner Foldesi, seconded by Commissioner Walker, and carried unanimously to adopt the following resolution:

2010-05-05

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.05, subd. 3(b) states that "meetings may be closed if the closure is expressly authorized by statute or permitted by the attorney-client privilege"; and

WHEREAS, Attorney Paul Reuvers has requested that the meeting be closed to discuss pending litigation; and

WHEREAS, it would be detrimental to the interests of the County for the Board to hold a public discussion regarding this matter where an opposing party or opposing attorney could listen to or be made aware of the County's positions; and

WHEREAS, there is an absolute need for the Board to obtain confidential legal advice regarding the pending litigation in order to maintain the attorney-client privilege;

NOW, THEREFORE, BE IT RESOLVED by the Roseau County Board of Commissioners as follows:

1. The County Board hereby closes this meeting based upon the attorney-client privilege pursuant to Minn. Stat. § 13D.05, subd. 3(b);

2. The specific subject to be discussed, pursuant to Minn. Stat. § 13D.01, subd. 3, is pending litigation with the Minnesota Center for Environmental Advocacy vs Roseau County, et al.

A motion was made by Commissioner Swanson, seconded by Commissioner Falk and carried unanimously to re-open the Special Board meeting.

The Special Board meeting reconvened at 2:15 pm. No action was taken.

Upon motion carried, the Board adjourned the regular meeting at 2:20 p.m. The next regular meeting of the Board is scheduled for June 8, 2010 at 8:30 a.m.

Attest:

Date: _____

Teresa Klein, Board Clerk
Roseau County, Minnesota

Alan Johnston, Chair
Board of County Commissioners
Roseau County, Minnesota

DRAFT

ITEM # Consent 2

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Nelson, Gracia	*Department Emergency Management	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
Request that the County Commissioners sign the State of Minnesota Communications Facility Use Agreement Amendments for the Warroad and Greenbush Towers.

***Background (Provide sufficient detail of the subject):**
On August 25, 2009 the Roseau County Board of Commissioners signed an agreement with the State of Minnesota, Department of Transportation to permit Roseau County to have communications equipment on the Mn/DOT towers at the Greenbush and Warroad sites at a cost of \$300.00 per year for 1 - 2 stations, \$400.00 per year for 3 to 4 stations and \$500.00 per year for 5 or more stations. There was a delay in construction on the towers, and the Amendment changes the date of the contract to commence June 1, 2010 through May 31, 2011.

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk

STATE OF MINNESOTA
COMMUNICATIONS FACILITY
USE AGREEMENT AMENDMENT

Agreement #95208-R
Amendment 1
Greenbush Tower

THIS AMENDMENT, by and between State of Minnesota, Department of Transportation, hereinafter referred to as Mn/DOT, and County of Roseau, hereinafter referred to as COUNTY;

WHEREAS, the Commissioner of Transportation is empowered by Minnesota Statute 174.70, Subd. 2 to enter into agreements to permit non-state owned communications equipment on Mn/DOT owned communications towers, land, buildings or other structures which are under the jurisdiction of the Commissioner of Transportation, and

WHEREAS, Mn/DOT and the COUNTY entered into Agreement No. 95208, dated August 25, 2009, involving the use of antenna space on Mn/DOT's Tower and a designated location in Mn/DOT's communications shelter located 4 miles NE on Hwy 11 of the city of Greenbush, MN;

WHEREAS, MN/DOT and COUNTY deem certain amendments and additional terms and conditions mutually beneficial for the effective continuation of said Agreement;

NOW THEREFORE, MN/DOT and COUNTY agree to substitution and/or addition of the following terms and conditions, which shall become a part of Agreement No. 95208, effective as of the date set forth hereinafter.

WHEREAS, MN/DOT was unable to turn over the Communications Facility as agreed to in said Lease, thus COUNTY was unable to take possession of the Facility on or before August 1, 2009;

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual covenants herein contained, which each of the parties hereto acknowledge as adequate and sufficient, it is hereby agreed as follows:

2. **TERM**

The term of this Agreement is for ten (10) years, commencing on June 1, 2010, through May 31, 2020.

Except as modified by the provisions of this Amendment, said Lease is ratified and confirmed as originally written.

NO ATTACHMENTS

IN WITNESS WHEREOF, the parties have set their hands on the date(s) indicated below intending to be bound thereby.

COUNTY:

COUNTY certifies that the appropriate person(s) have executed the Use Agreement on behalf of COUNTY as required by applicable articles, bylaws, resolutions or ordinances

By _____

Print Name: _____

Title: _____
(Print or type)

Date _____

By _____

Print Name: _____

Title: _____
(Print or type)

Date: _____

By _____

Print Name: _____

Title: _____
(Print or type)

Date: _____

Mn/DOT:

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
OFFICE OF ELECTRONIC COMMUNICATIONS

By  _____
Mark Giesbke

Title: Director _____

Date 5-12-10 _____

STATE OF MINNESOTA
COMMUNICATIONS FACILITY
USE AGREEMENT AMENDMENT

Agreement #95209-R
Amendment 1
Warroad Tower

THIS AMENDMENT, by and between State of Minnesota, Department of Transportation, hereinafter referred to as Mn/DOT, and County of Roseau, hereinafter referred to as COUNTY;

WHEREAS, the Commissioner of Transportation is empowered by Minnesota Statute 174.70, Subd. 2 to enter into agreements to permit non-state owned communications equipment on Mn/DOT owned communications towers, land, buildings or other structures which are under the jurisdiction of the Commissioner of Transportation, and

WHEREAS, Mn/DOT and the COUNTY entered into Agreement No. 95209, dated August 25, 2009, involving the use of antenna space on Mn/DOT's Tower and a designated location in Mn/DOT's communications shelter located on 560th Ave, 3/4 mile south of 320th St. in the city of Warroad, MN;

WHEREAS, MN/DOT and COUNTY deem certain amendments and additional terms and conditions mutually beneficial for the effective continuation of said Agreement;

NOW THEREFORE, MN/DOT and COUNTY agree to substitution and/or addition of the following terms and conditions, which shall become a part of Agreement No. 95209, effective as of the date set forth hereinafter.

WHEREAS, MN/DOT was unable to turn over the Communications Facility as agreed to in said Lease, thus COUNTY was unable to take possession of the Facility on or before August 1, 2009;

NOW, THEREFORE, in consideration of the foregoing and in consideration of the mutual covenants herein contained, which each of the parties hereto acknowledge as adequate and sufficient, it is hereby agreed as follows:

2. **TERM**

The term of this Agreement is for ten (10) years, commencing on June 1, 2010, through May 31, 2020.

Except as modified by the provisions of this Amendment, said Lease is ratified and confirmed as originally written.

NO ATTACHMENTS

IN WITNESS WHEREOF, the parties have set their hands on the date(s) indicated below intending to be bound thereby.

COUNTY:

COUNTY certifies that the appropriate person(s) have executed the Use Agreement on behalf of COUNTY as required by applicable articles, bylaws, resolutions or ordinances

By _____

Print Name: _____

Title: _____
(Print or type)

Date _____

Mn/DOT:

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
OFFICE OF ELECTRONIC COMMUNICATIONS

By  _____
Mark Gieseke

Title: Director _____

Date 5-12-10 _____

By _____

Print Name: _____

Title: _____
(Print or type)

Date: _____

By _____

Print Name: _____

Title: _____
(Print or type)

Date: _____

ITEM # Consent 3

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Nelson, Gracia	*Department Emergency Management	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
Accept Grant # 2010 EMPG-00660

***Background (Provide sufficient detail of the subject):**
This Emergency Management Performance Grant (EMPG) for \$18,884 is given to Roseau County to supplement costs of the county's emergency management program.

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
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Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk



Minnesota Department of Public Safety ("State") Homeland Security and Emergency Management Division 444 Cedar Street, Suite 223 St Paul, Minnesota 55101	Grant Program: 2010 Hazardous Materials Emergency Preparedness Grant Agreement No.: 2010-HMEP-00537
Grantee: Roseau County 606 SW 5th Avenue Roseau, Minnesota 56751	Grant Agreement Term: Effective Date: 10/1/2009 Expiration Date: 6/30/2010
Grantee's Authorized Representative: Gracia Nelson, Homeland Security & Emergency Management Director 606 5th Ave SW Roseau, Minnesota 56751 Phone: (218) 463-3375 Email: gracia_n@yahoo.com	Grant Agreement Amount: Original Agreement \$ 3,000.00 Matching Requirement \$ 750.00
State's Authorized Representative: Kathy Gaida, Grants Specialist Homeland Security and Emergency Management Division 444 Cedar Street, Suite 223 St Paul, Minnesota 55101 Phone: (651) 201-7422 Email: Kathleen.Gaida@state.mn.us	Federal Funding: CFDA 20.703 State Funding: Special Conditions: None

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant agreement.

Term: Effective date is the date shown above or the date the State obtains all required signatures under Minn. Stat. § 16C.05, subd. 2, whichever is later. Once this grant agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a state employee will:

Perform and accomplish such purposes and activities as specified herein and in the Grantee's approved 2010 Hazardous Materials Emergency Preparedness Application ("Application") which is incorporated by reference into this grant agreement and on file with the State at 444 Cedar Street, Suite 223, St Paul, Minnesota 55101. The Grantee shall also comply with all requirements referenced in the 2010 Hazardous Materials Emergency Preparedness Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (www.wego.dps.state.mn.us), which are incorporated by reference into this grant agreement.

Budget Revisions: The breakdown of costs of the Grantee's Budget is contained in Exhibit A, which is attached and incorporated into this grant agreement. As stated in the Grantee's Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee's Application, the Grantee certifies that the matching requirement will be met by the Grantee.



Payment: As stated in the Grantee's Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services and in accordance with the Grant Program Guidelines. Payment will not be made if the Grantee has not satisfied reporting requirements.

Certification Regarding Lobbying: (If applicable.) Grantees receiving federal funds over \$100,000.00 must complete and return the Certification Regarding Lobbying form provided by the State to the Grantee.

1. ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.

Signed: _____

Date: _____

Grant Agreement No. 2010-HMEP-00537 / 2000-14358

3. STATE AGENCY

By: _____
(with delegated authority)

Title: _____

Date: _____

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: Juanita C Nelson

Title: Roseau City Assn

Date: 5/27/10

Distribution: DPS/FAS
Grantee
State's Authorized Representative

ITEM # Consent 4

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Nelson, Gracia	*Department Emergency Management	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
Accept Grant # 2010-HMEP-00537 (Hazardous Materials Emergency Preparedness) Grant for \$3,000

***Background (Provide sufficient detail of the subject):**
This grant was written and accepted by the state for funding the two day IS300 Incident Command training that was held in Warroad on April 17 and 18th.

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
-----------------------	------------------

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk



Minnesota Department of Public Safety ("State") Homeland Security and Emergency Management Division 444 Cedar Street, Suite 223 St Paul, Minnesota 55101	Grant Program: 2010 Hazardous Materials Emergency Preparedness Grant Agreement No.: 2010-HMEP-00537
Grantee: Roseau County 606 SW 5th Avenue Roseau, Minnesota 56751	Grant Agreement Term: Effective Date: 10/1/2009 Expiration Date: 6/30/2010
Grantee's Authorized Representative: Gracia Nelson, Homeland Security & Emergency Management Director 606 5th Ave SW Roseau, Minnesota 56751 Phone: (218) 463-3375 Email: gracia_n@yahoo.com	Grant Agreement Amount: Original Agreement \$ 3,000.00 Matching Requirement \$ 750.00
State's Authorized Representative: Kathy Gaida, Grants Specialist Homeland Security and Emergency Management Division 444 Cedar Street, Suite 223 St Paul, Minnesota 55101 Phone: (651) 201-7422 Email: Kathleen.Gaida@state.mn.us	Federal Funding: CFDA 20.703 State Funding: Special Conditions: None

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant agreement.

Term: Effective date is the date shown above or the date the State obtains all required signatures under Minn. Stat. § 16C.05, subd. 2, whichever is later. Once this grant agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a state employee will:

Perform and accomplish such purposes and activities as specified herein and in the Grantee's approved 2010 Hazardous Materials Emergency Preparedness Application ("Application") which is incorporated by reference into this grant agreement and on file with the State at 444 Cedar Street, Suite 223, St Paul, Minnesota 55101. The Grantee shall also comply with all requirements referenced in the 2010 Hazardous Materials Emergency Preparedness Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (www.wego.dps.state.mn.us), which are incorporated by reference into this grant agreement.

Budget Revisions: The breakdown of costs of the Grantee's Budget is contained in Exhibit A, which is attached and incorporated into this grant agreement. As stated in the Grantee's Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee's Application, the Grantee certifies that the matching requirement will be met by the Grantee.



Payment: As stated in the Grantee's Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services and in accordance with the Grant Program Guidelines. Payment will not be made if the Grantee has not satisfied reporting requirements.

Certification Regarding Lobbying: (If applicable.) Grantees receiving federal funds over \$100,000.00 must complete and return the Certification Regarding Lobbying form provided by the State to the Grantee.

1. ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.

Signed: _____

Date: _____

Grant Agreement No. 2010-HMEP-00537 / 2000-14358

3. STATE AGENCY

By: _____
(with delegated authority)

Title: _____

Date: _____

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: Juanita C Nelson

Title: Roseau City Assn

Date: 5/27/10

Distribution: DPS/FAS
Grantee
State's Authorized Representative

ITEM # Consent 5

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Grand, Pam	*Department Recorder	*Board Meeting Date Jun 8 2010
--	--------------------------------	--

***Subject Title (As it will appear on the agenda):**
Approve State of MN Satellite Office Agreement

***Background (Provide sufficient detail of the subject):**
This agreement needs Board approval to designate Roseau as a Satellite office to provide Universal Commercial Code filing and retrieval services on a local level.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
-----------------------	------------------

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Falk							
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk

**STATE OF MINNESOTA
SATELLITE OFFICE AGREEMENT**

This agreement is between the State of Minnesota, acting through the Office of the Secretary of State and Roseau County, on behalf of the County Recorder, as a Governmental Unit ("County").

Recitals

Under Minn. Stat. § 336.9-527 to 336.9-530, the State is empowered to designate satellite offices as deemed necessary. Satellite offices provide Uniform Commercial Code filing and retrieval services on a local level for the convenience of customers requesting such transactions.

Agreement

1 Definitions.

- 1.1 Data. In this agreement, 'data' means the database entry, the images and all other information contained in or connected with any particular initial financing statement, as well as any subsequent filings associated with that initial financing statement.
- 1.2 Satellite Office. In this agreement, 'satellite office' means the office operated pursuant to Minnesota Statutes, sections 336.9-527 to 336.9-530. This office accepts financing statement filings and fulfills information requests for information on filings in the central filing system.
- 1.3 Central Filing System. In this agreement, 'central filing system' means the system maintained by the office of the secretary of state which connects the satellite offices and the office of the secretary of state and which contains all Uniform Commercial Code information in Minnesota.
- 1.4 Remote Interface. In this agreement, 'remote interface' means the medium used by a customer to submit a transaction to the central filing system without being physically present at or sending a physical document through the mail to a satellite office or the Office of the Secretary of State.

2 Term of Agreement

- 2.1 Effective date: the date this agreement has been approved and executed by the County Board, the County Recorder, the Office of the Secretary of State, and other County and State officials as required by law.
- 2.2 Expiration date: Indefinite period unless terminated or cancelled pursuant to paragraph 14.

3 Agreement between the Parties

3.1 Duties of Parties

- 3.1.1 County, acting through the County Recorder, has the following duties under this agreement:

- 3.1.1.1 To carry out the filing and information request functions as defined by the Uniform Commercial Code, Revised Article 9, Minnesota Statutes, Chapter 336, and Minnesota Rules, Chapter 8280, with respect to transactions that are received by mail or in person at the office of the County or, if the County has agreed to accept information requests submitted to the central system, an information request a customer has designated for fulfillment at the County.
 - 3.1.1.2 To carry out all of those functions within the two business day limit imposed by Minnesota Statutes, chapter 336.
 - 3.1.1.3 To implement all Uniform Commercial Code transactions covered by this agreement pursuant to Minnesota Statutes, chapter 336 and Minnesota Rules, Chapter 8280.
 - 3.1.1.4 To update their County Recorder's User Profile to add or delete users and assign authorities to them. To maintain an up-to-date User Profile that provides customers with contact information such as county recorder address, phone and e-mail. To establish in their User Profile that they either agree to or decline to accept on-line search requests received by the secretary of state when the customers requests a specific county complete the order and to process those orders if they have agreed to provide this service.
- 3.1.2 The office of the Secretary of State of Minnesota has the following duties under this agreement:
- 3.1.2.1 To oversee, operate and control the central filing system;
 - 3.1.2.2 To deliver and maintain the telecommunications and computing operations of the central filing system so that these operations are available to all participants in the central filing systems in accordance with the operating procedures of the Office of the Secretary of State.
 - 3.1.2.3 To respond to communications by citizens and users of the central filing system regarding customer service provided by satellite offices and to take appropriate steps when necessary under paragraph 14.

3.2 Time Requirements, Performance and Technical Standards

- 3.3.1 County is responsible for meeting the time requirements for filing and information request transactions set forth in Minnesota Statutes, sections 336.9-519(h) and 336.9-523(e).
- 3.3.2 County shall follow all of the standards and rules set forth in Minnesota Rules, Chapter 8280, both as currently promulgated and as established in the future.

4 Consideration

The consideration for this agreement is as follows:

- 4.1 On the part of the County, the right to operate a satellite office and retain the fees derived therefrom.
- 4.2 On the part of the Office of the Secretary of State, the operation by the County of the satellite office and the accurate completion of transactions within the central filing system pursuant to the standards set forth in Minnesota Statutes, chapter 336.9 and Minnesota Rules, chapter 8280 as currently promulgated and as established in the future.

5 Payment

5.1 Revenues

- 5.1.1 The Office of the Secretary of State shall collect, on behalf of the state, the applicable fees for Uniform Commercial Code transactions that are completed by the staff of the Office of the Secretary of State. The Office of the Secretary of State shall collect, on behalf of the state, the applicable fees for Uniform Commercial Code transactions that are completed by customers using remote interfaces with the central filing system.
- 5.1.2 County shall collect and retain the applicable fees for Uniform Commercial Code transaction that are completed or fulfilled by the staff of the County, including, if the County has agreed to accept information requests submitted to the central system, transactions designated by customer for completion by that county.
- 5.1.3 The County is responsible for collecting any fees associated the completion of an information request submitted through the central system.

5.2 Costs.

- 5.2.1 The office of the Secretary of State shall bear the costs of operations of the Central Filing System, the Statewide Search System, and its own staff and related costs for the above, except as specifically excepted in this paragraph.
- 5.2.2 County shall bear the costs of their own staff, supplies and equipment.

6 Authorized Representatives and Notices

Notices sent pursuant to the terms of this agreement are to be sent, and are effective only if sent, as follows:

- 6.1 Notices to the Office of the Secretary of State of Minnesota must be sent by certified United States Postal Service Mail to Secretary of State, Attention UCC Satellite Office Coordinator, 60 Empire Drive #100, St Paul MN 55103 or e-mail address ucc.dept@state.mn.us.

- 6.2 Notices to the County must be sent by certified United States Postal Service Mail or e-mail to the County Recorder of the County.

7 Assignment, Amendments, Waiver, and Agreement Complete

- 7.1 Amendments. Any amendment to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- 7.2 Waiver. If the State fails to enforce any provision of this agreement, that failure does not waive the provision or its right to enforce it.
- 7.3 Agreement Complete. This agreement contains all negotiations and agreements between the State and the Governmental Unit. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.

8 Liability

The Governmental Unit will indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this agreement by the Governmental Unit or the Governmental Unit's agents or employees. This clause will not be construed to bar any legal remedies the Governmental Unit may have for the State's failure to fulfill its obligations under this agreement.

9 State Audits

Under Minn. Stat. § 16C.05, subd. 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement.

10 Staff and Customer Training

- 10.1 The Office of the Secretary of State will make training materials available on-line to representatives of the County. The Office of the Secretary of State will also provide access to training materials to customers of the Office of the Secretary of State who so request.
- 10.2 County will provide training for other staff of the County. County will also provide training materials to customers of their office who so request.

11 Government Data Practices

- 11.1 The County and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

- 11.2 The data stored in the Central Filing System is public data in all respects unless otherwise designated by the Minnesota Data Practices Act, Minnesota Statutes, chapter 13 or Minnesota Statutes, section 336.9-531.
- 11.3 County and the State shall be bound by, and comply with, the Minnesota Data Practices Act as it applies to all data provided by the County Recorder and the State in accordance with this Agreement and as it applies to all data created, collected, received, stored, used, maintained or disseminated by the County under this agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the State.

12 Ownership and Administration of Data

- 12.1 The data collected in the course of the operation of the Central Filing System is the property of the State of Minnesota.
- 12.2 The State of Minnesota retains all ownership rights, including property rights, copyrights, patents, trade secrets, trademarks and service marks in any software developed for use in the Central Filing System.

13 Venue

Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14 Termination

14.1 CANCELLATION AND TERMINATION OF AGREEMENT

14.1.1 Each of the parties to this agreement may cancel this agreement for any reason by 60 days notice to the other parties to the agreement. Notice and a statement of the reason(s) for the cancellation shall be sent to the authorized representatives as set forth in Paragraph 6 of this agreement.

14.1.2 The Office of the Secretary of State may terminate this agreement pursuant to Paragraph 14.2.7 of this agreement as a result of a determination pursuant to Paragraph 14.2.6 that customer service has been severely impaired.

14.1.3. The result of termination is that County must end service as a satellite office on the last day of the month following the mailing of notice of termination to the County.

14.2 APPLICATION OF MINNESOTA STATUTES AND RULES; DISPUTE RESOLUTION

14.2.1 The secretary of state shall use the following procedure to determine pursuant to Minnesota Statutes, section 336.9-530, subdivision 2, whether customer service has been severely impaired. However, at any point the secretary of state and the County may attempt to resolve the dispute by mutual agreement.

- 14.2.2 The secretary of state may initiate a proceeding to terminate this Agreement because customer service has been severely impaired by notifying the chief executive of the satellite office in writing by certified mail of an intent to terminate, and describing the allegations upon which the intent to terminate is based.
- 14.2.3 Within 14 calendar days of the issuance of the Notice to terminate, the County shall provide a written response by certified mail addressing the allegations and describing the nature of the transactions in question and any and all facts relevant to the allegations.
- 14.2.4 If the secretary of state finds the response sufficient on its face to establish that customer service has not been severely impaired, the secretary of state shall, within seven calendar days of receipt of the response from the County, cancel the proceeding to terminate the satellite office status of the County.
- 14.2.5 If the secretary of state does not find the response sufficient on its face to establish that customer service has not been severely impaired, the secretary of state shall, within seven calendar days of receipt of the response from the County, schedule a meeting with the chief executive of the County to be held within ten calendar days after scheduling to discuss the allegations upon which the intent to terminate is based. A mediator from the Bureau of Mediation Services shall mediate the dispute at the expense of the County.
- 14.2.6 If the secretary of state or her designated representative finds by a preponderance of the evidence that customer service has been severely impaired, the secretary of state or her designated representative must issue a finding terminating the Agreement with the County.
- 14.2.7 The satellite office status of the local county-based government office terminates at the end of the calendar month after the month in which the finding of severe impairment was issued.
- 14.2.8 The secretary of state or her designated representative may choose to authorize another local county-based government office to operate a satellite office.

15. Execution of Agreement by Secretary of State Constitutes Cancellation of Prior Version of Agreement Under Paragraph 14.1.

- 15.1 Execution by the Secretary of State of this new agreement constitutes cancellation of the prior agreements between the parties pursuant to the terms of paragraph 14.1 of the Agreement, without further documentation.

1. COUNTY BOARD CHAIR

Date _____

4. OFFICE OF THE SECRETARY OF STATE

Date _____

2. OTHER COUNTY SIGNATURE

Date _____

5. COMMISSIONER OF ADMINISTRATION
delegated to Materials Management Division
Date _____

Pamela S. Strand

3. COUNTY RECORDER APPROVAL

Date *June 1, 2010*

6. ATTORNEY GENERAL
As to form and execution
Date _____

* County certifies that the appropriate person(s) have executed the Agreement on behalf of the County as required by applicable articles, by-laws, resolutions or ordinances.

ITEM # Consent 6

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Jun 8 2010
--	-----------------------------------	--

***Subject Title (As it will appear on the agenda):**
Approve Resignation of County Auditor Effective June 30, 2010

***Background (Provide sufficient detail of the subject):**
The Board needs to approve a formal resolution accepting the resignation of Auditor Anne Granitz.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
-----------------------	------------------

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Falk							
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk



ROSEAU COUNTY AUDITOR

Anne K. Granitz

June 1, 2010

To the Roseau County Board of Commissioners:

The time has come for me to retire from the work that I have pursued for over 23 years. My separation from service as Roseau County Auditor will be June 30, 2010.

I understand that some of the commissioners would like to reorganize the structure of government in Roseau County. My departure at this time would allow you to take some steps in that direction by appointing a county auditor (or temporarily combining auditor-treasurer) to fill out my term.

Please provide me with a copy of your resolution accepting my resignation, effective June 30, 2010. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Anne K. Granitz".

Anne K. Granitz
Roseau County Auditor

ITEM # Consent 7

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
Approve Part-time Deputy Hire

***Background (Provide sufficient detail of the subject):**
Testing for part-time deputies was completed on May 18 and May 22. A roster was developed containing the top 10 candidates. The plan is to hire part-time deputies off the roster as they are ranked and fill full time vacancies from the roster according to the county uniform hiring policy. Arlan Block is the number 1 ranked candidate on the roster with a score of 107 out of 130. It is recommended that he be hired as a regular part-time deputy at a Grade 7 Step A.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Falk						
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk

ITEM # 9am Public Hearing

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Granitz, Anne	*Department Auditor	*Board Meeting Date Jun 8 2010
---	-------------------------------	--

***Subject Title (As it will appear on the agenda):**
Judicial Ditch No. 61 Public Hearing (9 a.m.)

***Background (Provide sufficient detail of the subject):**
(Reference RBA, dated April 13, 2010) The County Board will hold a public hearing pursuant to the Petition of the Minnesota Department of Transportation for the right to make minor alterations or changes in Judicial Ditch No. 61 along Highway 11 west of Warroad. A Petitioner representing MDoT will be present at the hearing. Following the hearing, the County Board will approve an "Order" responding to the petition (copy attached).

***Financial Consideration:**
None. MDoT will pay all expenses.

***Legal Consideration:**
Reviewed by County Attorney prior to April 13th meeting.

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**
(See attached "Order.")

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
-----------------------	------------------

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Falk							
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk

ITEM # Highway Dept.

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Granitz, Anne	*Department Auditor	*Board Meeting Date Apr 13 2010
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***Subject Title (As it will appear on the agenda):**
Minnesota Department of Transportation Petition

***Background (Provide sufficient detail of the subject):**
Attached are the Petition and other documents I received from the Minnesota Department of Transportation. The County Board--Ditch Authority for Judicial Ditch No. 61--is required to set a date and time for a public hearing. County Engineer Brian Ketring and I will discuss the details at the meeting.

***Financial Consideration:**
MnDoT will reimburse the expenses we incur.

***Legal Consideration:**
County Attorney Lisa Hanson is reviewing the MnDoT documents.

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**
See attached.

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Falk						
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk

**PETITION OF STATE OF MINNESOTA, BY THOMAS K. SOREL,
ITS COMMISSIONER OF TRANSPORTATION, FOR THE RIGHT
TO MAKE MINOR ALTERATIONS OR CHANGES IN
JUDICIAL DITCH NO. 61 IN ROSEAU COUNTY**

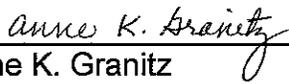
NOTICE OF HEARING

TO ALL PERSONS INTERESTED IN JUDICIAL DITCH NO. 61 IN ROSEAU COUNTY:

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the State of Minnesota, by Thomas K. Sorel, its Commissioner of Transportation, has filed a Petition with the County Auditor of Roseau County, pursuant to Minnesota Statutes 161.28, praying that he be allowed to make minor alterations or changes in Judicial Ditch No. 61. That attached to said Petition now on file with the County Auditor is a plan description of the minor alterations or changes petitioned for. That the portion of said Judicial Ditch No. 61 which is proposed to be changed or altered is shown by maps and plans attached to said Petition.

That said Petition alleges that it is advantageous and desirable in the construction and maintenance of Trunk Highway No. 11 that said minor alterations or changes be made, and that said minor alterations or changes petitioned for will not affect the functioning nor impair the efficiency of said Judicial Ditch No. 61, or any of its branches or laterals, if any.

YOU WILL FURTHER TAKE NOTICE that said Petition will be presented to the Roseau County Board of Commissioners (Drainage Authority) at the meeting room in the courthouse in Roseau, Minnesota, on the 8th day of June, 2010, at 9:00 a.m. at which time all persons interested in said ditch system may appear and be heard and present arguments for or against the granting of said Petition.



Anne K. Granitz
Roseau County Auditor

**ORDER OF ROSEAU COUNTY BOARD OF COMMISSIONERS
(DITCH AUTHORITY FOR JUDICIAL DITCH NO. 61)**

**RE: PETITION OF STATE OF MINNESOTA, BY THOMAS K. SOREL, ITS
COMMISSIONER OF TRANSPORTATION, FOR THE RIGHT TO MAKE MINOR
ALTERATIONS OR CHANGES IN JUDICIAL DITCH NO. 61 IN ROSEAU
COUNTY:**

The above-entitled matter came on for hearing before the Roseau County Board of Commissioners, Ditch Authority for Judicial Ditch No. 61, in the courthouse meeting room, in Roseau, Minnesota, on the 8th day of June, 2010, at 9:00 a.m.

The Petitioner appeared by .

The Petitioner presented evidence in support of its petition for permission to make minor alterations or changes in Judicial Ditch No. 61, all as shown in the plan sheets attached to the Petition.

It was made to appear that the minor alterations or changes in said Judicial Ditch No. 61 petitioned for by the Petitioner would be advantageous or desirable in the maintenance and construction of Trunk Highway No. 11.

It was further made to appear that said minor alterations or changes in said Judicial Ditch No. 61 would in no way impair the efficiency or functioning of the drainage system.

The County Board/Ditch Authority having hear the evidence adduced by the Petitioner in support of its petition for permission to make minor alterations or changes in Judicial Ditch No. 61, all as shown in plan sheets marked Exhibit "A," and made a part thereof, hereby makes its Order consenting to and granting permission to said Petitioner to make the minor alterations or changes in Judicial Ditch No. 61, all as shown in the exhibit marked "A" and made a part thereof, said minor alterations or changes to be made at the sole cost and expense of the State of Minnesota.

The County Board/Ditch Authority further orders that the Petitioner, State of Minnesota, by Thomas K. Sorel, Commissioner of Transportation, pay to the County of Roseau the sum of \$ [REDACTED] for publication fees and \$ [REDACTED] for filing fees incurred by said County in this matter.

IT IS FURTHER ORDERED that damages, if any, for additional lands necessary for said changes or alterations shall be paid by the Petitioner herein.

Dated this 8th day of June, 2010.

Roseau County Board of Commissioners
Ditch Authority for Judicial Ditch No. 61

Alan B. Johnston, Chairman

ATTEST:

Anne K. Granitz
Roseau County Auditor

ITEM # 9:15am Public Hearing

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Jun 8 2010
--	-----------------------------------	--

***Subject Title (As it will appear on the agenda):**
Public Hearing on State Ditch 69 Lateral 1 Moose township Section 3 & 4

***Background (Provide sufficient detail of the subject):**
A public hearing is being conducted pursuant to MN Statutes 103E.325, on the issue of taking evidence concerning whether the two mile segment on the north side of Section 3 and Section 4 in Moose township is part of Branch #1 of Roseau County Ditch #69. The general description of the proposed starting point, route and terminus of the segment of drainage system in question is as follows: Commencing at the NE Corner of Section 3, Township 162 North, Range 42 West, thence west to the NW Corner of the NW Quarter Section 4, in Roseau County, State of Minnesota. Property owners adjoining this segment are as follows: Florence Zak, Roy Newell Ode, Elmer H. Haugen ETAL, Donald R. Lee ETAL.

***Financial Consideration:**
MAP 1

***Legal Consideration:**
MAP 2

***Other Consideration:**
MAP 3

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Falk						
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk



Board of Commissioners

606 5th Ave. SW, Room #131

Roseau, MN 56751

Phone: 218-463-4248

Fax: 218-463-3252

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Roseau County, Minnesota, will meet on Tuesday, June 8, 2010 at 9:15 am, at the Roseau County Courthouse, Board of Commissioners Meeting Room, No. 110, in Roseau, Minnesota, for the purpose of conducting a public hearing, pursuant to Minnesota Statutes 103E.325, on the issue of taking evidence concerning whether the two mile segment on the north side of Section 3 and Section 4 in Moose township is part of Branch #1 of Roseau County Ditch #69.

The general description of the proposed starting point, route and terminus of the segment of drainage system in question is as follows:

Commencing at the NE Corner of Section 3, Township 162 North, Range 42 West, thence west to the NW Corner of the NW Quarter of Section 4, in Roseau County, State of Minnesota.

Property owners adjoining this segment are as follows:

Florence Zak
Roy Newell Ode
Elmer H Haugen ETAL
Donald R Lee ETAL

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the County Coordinator prior to the date of the hearing set forth above. Comments may be sent by email to [.klein@co.roseau.mn](mailto:klein@co.roseau.mn) or by mail to Roseau County Coordinator 606 Ave SW, Room 131, Roseau, MN 56751.

Dated: May 7, 2010

BY ORDER OF THE ROSEAU COUNTY
BOARD OF COMMISSIONERS

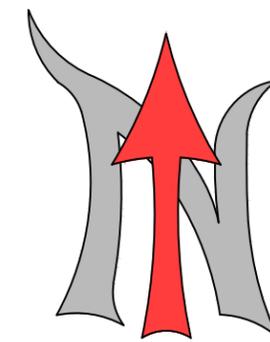
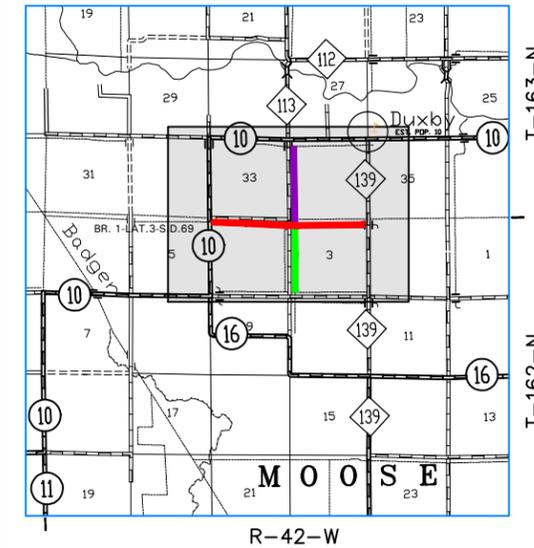
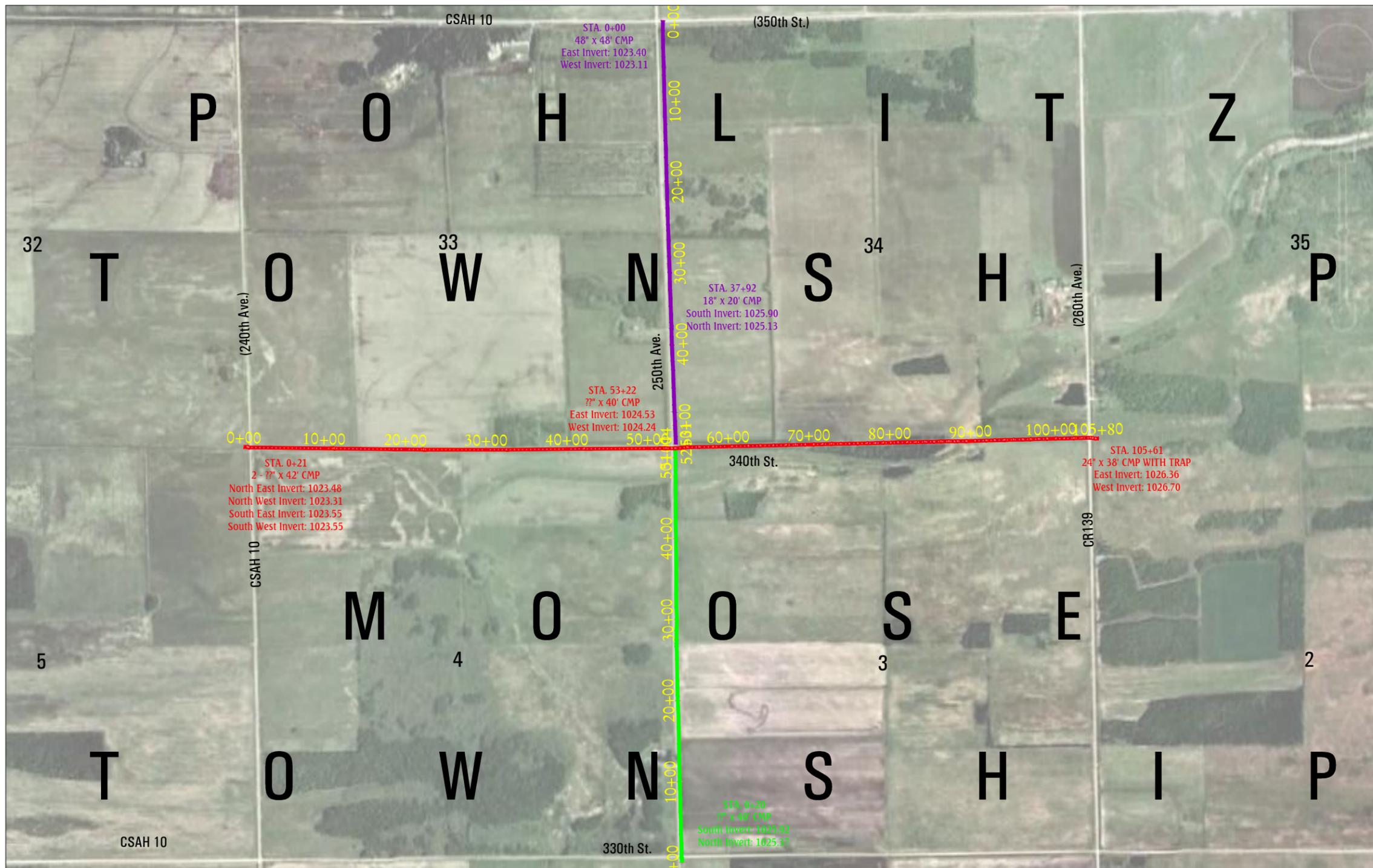
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Attest: _____

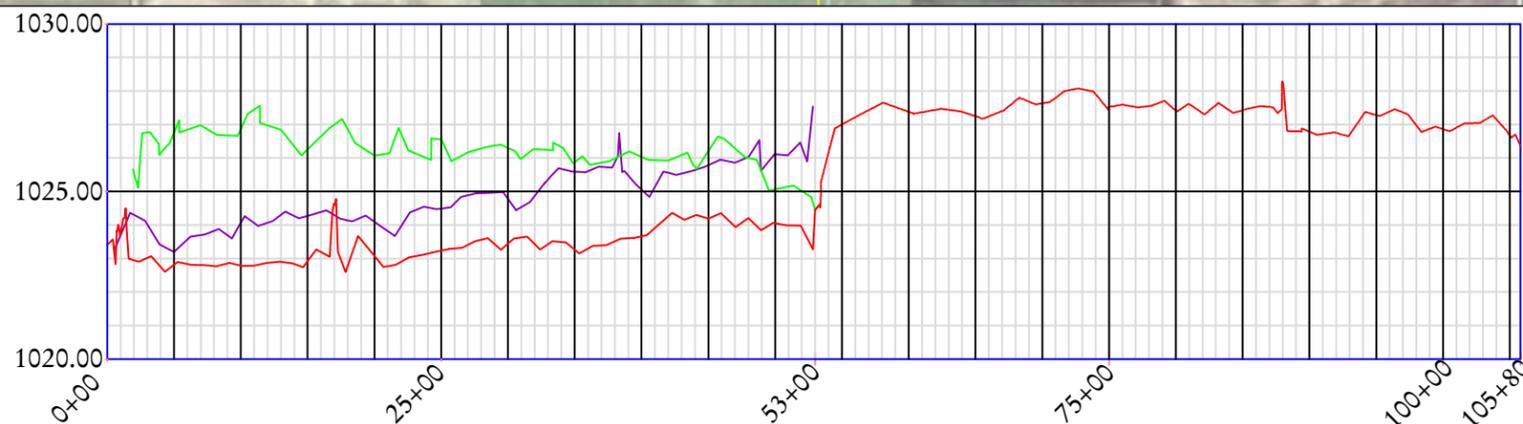
Teresa Klein
Roseau County Coordinator

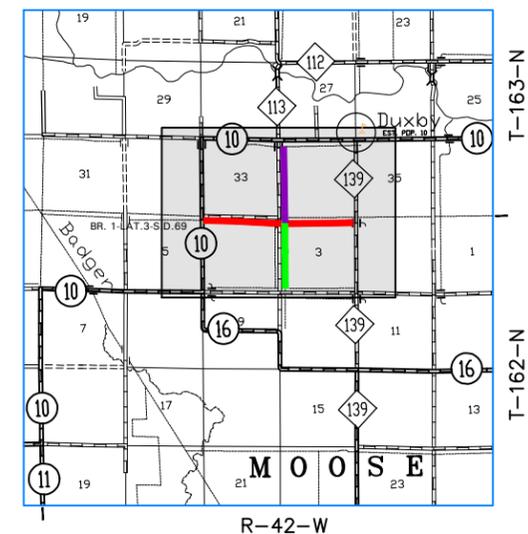
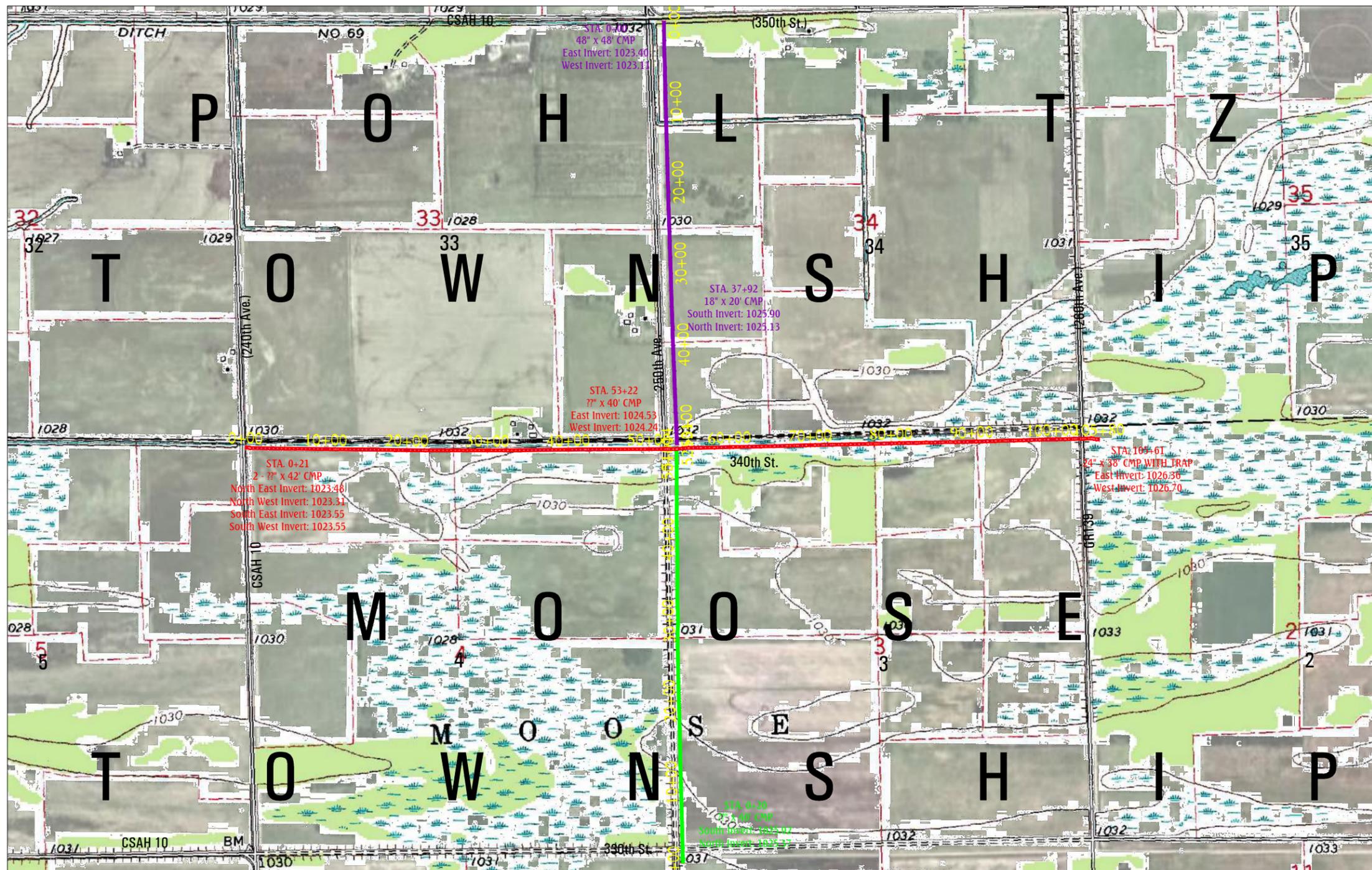
District 1, Alan Johnston, Chair - District 2, Jack Swanson, -
District 3, Roger Falk - District 4, Russell Walker - District 5, Mark Foldesi, Vice-Chair

An Equal Opportunity Employer

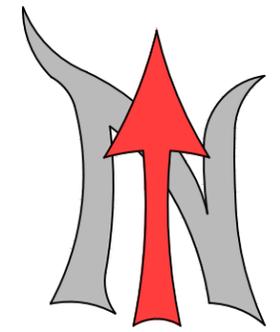


**MOOSE TOWNSHIP
& POHLITZ TOWNSHIP
DRAINAGE SURVEY
SHEET 1 OF 1**

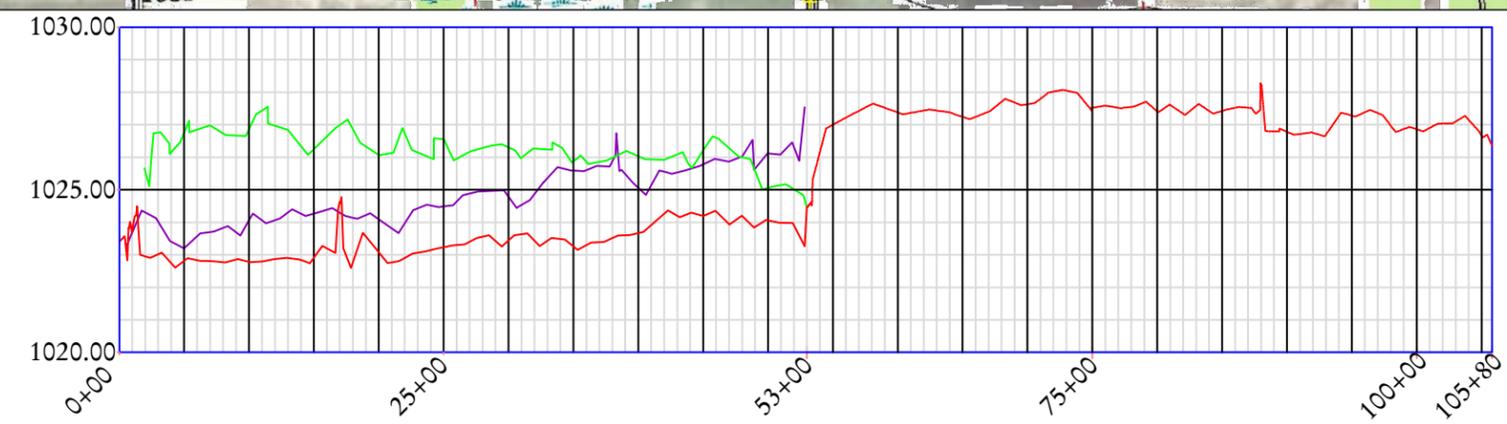


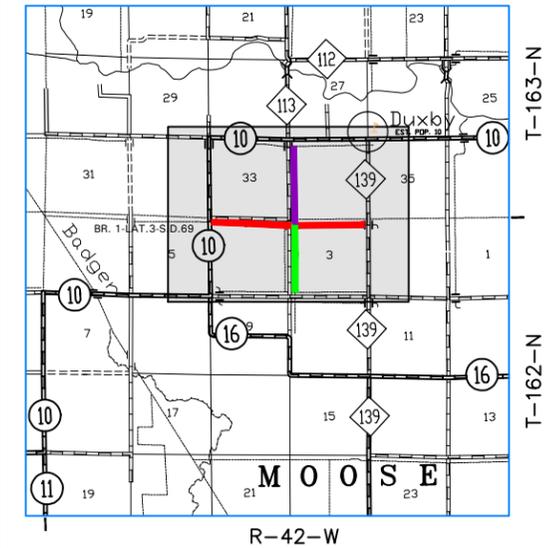
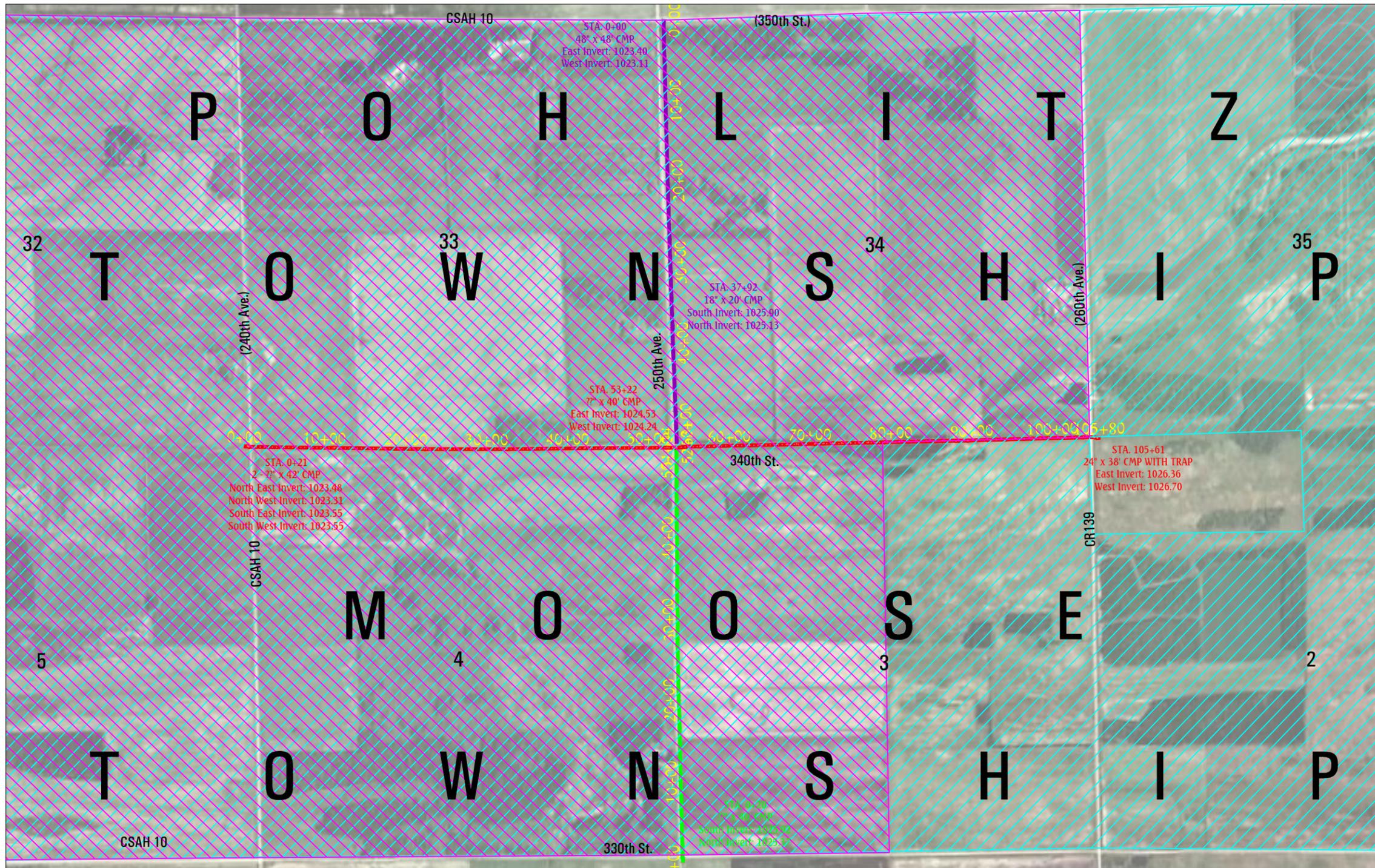


CONTOURS AND WETLAND DATA OBTAINED FROM 1966 USGS 7.5 MINUTE TOPOGRAPHIC MAPS



**MOOSE TOWNSHIP
& POHLITZ TOWNSHIP
DRAINAGE SURVEY
SHEET 1 OF 1**





ITEM # Discussion 1
REQUEST FOR BOARD ACTION
 * Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
 Interim Auditor Appointment

***Background (Provide sufficient detail of the subject):**
 Auditor Anne Granitz has announced her retirement effective June 30, 2010. Roseau County will need to appoint an interim auditor to fill the unexpired term.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Falk						
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk

ITEM # Discussion 2

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
Joint Lake of the Woods/Roseau County Meeting to Discuss Growing Narcotics Problem

***Background (Provide sufficient detail of the subject):**
Roseau County is experiencing a growing narcotics problem, especially in the area of cocaine and meth use and sales. This issue is spreading and impacting neighboring counties. Roseau County has participated in the Paul Bunyan Drug Task Force as a means to cost share narcotics investigations, however more populated areas such as Bemidji tend to get a greater percentage of the focus. We felt we were not getting adequate coverage for the cost so discontinued involvement. The cost was \$1.67 per capita. Roseau and Lake of the Woods County Sheriff's Office have met and have some ideas to address this issue they would like to present. They are requesting a joint meeting be scheduled to review the problem and discuss possible strategies.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:

Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result
			Yes	No	Abstain	
Swanson						Passed
Johnston						
Foldesi						Failed
Falk						
Walker						Tabled

ATTEST: Teresa Klein, Board Clerk

ITEM # Discussion 3

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Swanson, Jack	*Department Commissioner	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
Discussion 3 - Malung Stream Gage

***Background (Provide sufficient detail of the subject):**
As previously discussed, the DNR intends to discontinue funding of the Malung Stream Gage. To keep the gage in operation, an arrangement will need to be made with the City of Roseau and the Roseau River Watershed District to cost share expenses. Commissioner Swanson has met with the City of Roseau and the RRWD and has a proposal to present.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
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Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Falk							
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk

DNR Funded USGS Stream Gaging Facts FY10

- Current number of real time USGS gages in Minnesota: 126
- Current number DNR funded real time USGS gages: 36
- Number of DNR real time gages in Minnesota: 71 (37 are for flood warning)
- Total cost to maintain a USGS gage: \$15,600
- 50/50 DNR cost share for a USGS gage: \$7,800
- Average cost of DNR to independently maintain a real time gage \$6,300
- Estimated number of other real time gages operated by PCA, USCOE, Met Council and others: 15
- Approximate number of real time gages in MN: 212
- Current number of USGS gages funded by DNR proposed to be cut in FY10: 8

- DNR funded USGS gages proposed to be cut:

- ✓ Bois de Sioux R nr Doran
- ✓ Wild Rice R at Twin Valley
- ✓ Red River at Oslo, MN
- ✓ Roseau R blw S Fk nr Malung
- Sturgeon R nr Chisholm
- Whetstone R nr Big Stone City
- Yellow Bank R nr Odessa
- Little Cottonwood R nr Courtland

DNR FY10 budget reduction to USGS cooperative gages is 6% of the total number of USGS gages or 22% of the total number of gages funded by DNR and 4% of all of the real time gages across the state.

The USGS gages proposed as cuts by the DNR in FY10 are only some of the sites with a local need as opposed to a statewide need. Our top priority is to maintain funding to the statewide backbone gaging network during the budget shortfall. The DNR also funds or maintain other gages within these watersheds. It is our hope that because these gages have a local interest and local governments (watershed districts, counties and cities) with an ability to direct funding to them that the local entities will be able to maintain the funding to the USGS.

ITEM # Discussion 4

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Jun 8 2010
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***Subject Title (As it will appear on the agenda):**
2010 Fair Booth and Parade

***Background (Provide sufficient detail of the subject):**
The 2010 Roseau County Fair is fast approaching. The dates are July 18 to July 24. We are scheduled to have a booth again and need to begin planning. We have partnered with Roseau County SHIP (statewide health improvement plan) and will be working with the 2010 county government theme of Healthy Counties. It is time to put together a planning committee and get organized. The parade is Tuesday July 20th.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
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Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Falk							
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk

ITEM # Discussion 5

REQUEST FOR BOARD ACTION

* Required Fields



*Person Responsible for Request Klein, Trish	*Department Coordinator	*Board Meeting Date Mar 27 2010
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***Subject Title (As it will appear on the agenda):**
Old Courthouse Parking Lot

***Background (Provide sufficient detail of the subject):**
At the May 25, 2010 Board meeting Commissioner Swanson informed the Board that the parking lot at the old Law Enforcement Center currently leased to the RRWD is in need of repair. I have also received a call from the RRWD wondering if the county had any plans to repair the parking lot as it has large potholes in it now. Commissioner Swanson had agreed to contact the owner of the old Courthouse Facility to see if they are interested in repairing their portion of the parking lot. It is on the agenda today for the Board's further consideration.

***Financial Consideration:**

***Legal Consideration:**

***Other Consideration:**

***Resolution (Wording should reflect the intent of the Board vote):**

Coordinator's Office Use (Do Not Write Below)

Date Received:	Comments:
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Board Action:

Comm.	Motion (First)	Motion (Second)	Vote			Vote Result	
			Yes	No	Abstain		
Swanson						Passed	
Johnston							
Foldesi						Failed	
Falk							
Walker						Tabled	

ATTEST: Teresa Klein, Board Clerk



**U.S. Customs and
Border Protection**

MAY 26 2010

Trish Harren
County Coordinator
Roseau County Government
606 5th Avenue SW, Room 130
Roseau, MN 56751

Reference: Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the Proposed Modernization and Operation of the Pinecreek Land Port of Entry (LPOE), Roseau County, Minnesota

Dear Ms. Harren:

Pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA, 40 CFR 1500), and Department of Homeland Security (DHS) Management Directive 023-01 *Environmental Planning Program*, U.S. Customs and Border Protection (CBP) completed an EA for the Proposed Modernization and Operation of the Pinecreek LPOE, Roseau County, Minnesota.

The Final EA provides responses and addresses all comments received from agencies and the public during the comment period. The Final FONSI documents CBP's conclusion that the proposed action as presented in the Final EA is consistent with existing national environmental policies and objectives set forth in NEPA and the DHS Management Directive. CBP concludes the proposed action at the Pinecreek LPOE will not significantly affect the quality of the human environment. Therefore, the preparation of an Environmental Impact Statement pursuant to NEPA and the DHS Management Directive is not required.

Electronic versions of the Final EA and FONSI are available for review and download at the following Web site: <http://www.NorthernBorderNEPA.com>.

Trish Harren
Page 2

If there are any questions or concerns with the information within this report, please contact me with the U.S. Customs and Border Protection, Environmental and Energy Division at the following address:

Jennifer DeHart Hass
Acting Director
Environmental and Energy Division
U.S. Customs and Border Protection
1331 Pennsylvania Avenue, NW, Suite 1220
Washington, DC 20229

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer DeHart Hass". The signature is stylized and cursive.

Jennifer DeHart Hass
Acting Director
Environmental and Energy Division