

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

January 12, 2010

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, January 12, 2010 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, Jack Swanson, and Russell Walker.

APPROVAL OF AGENDA

The following items were added to discussion: Jim Stengrim request to meet with Board; attendance at the 27th annual Red River Basin Land & Water International Summit Conference, attendance at the Drainage Workshop in Thief River Falls and approval of Liquor Licenses. A motion to approve the amended agenda was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously.

CONSENT AGENDA

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

The Board, by adoption of its Consent Agenda, approved proceedings from the December 29, 2009 Board Meeting.

The Board, by adoption of its Consent Agenda, appointed Commissioners Walker and Johnston to the February 4, 2010 Canvassing Board and appointed Commissioners Swanson and Foldesi to the February 24, 2010 Canvassing Board.

The Board, by adoption of its Consent Agenda, approved the 2010 Letter of Understanding with Hoffman Dale and Swenson for auditing services.

The Board, by adoption of its Consent Agenda, approved the Roseau County Trailblazers MN DNR Certification of Trail Completion 1st Benchmark for the Pelan and BISF #1 trails in the amount of \$48,923.28.

The Board by adoption of its consent agenda approved liquor licenses as follows for the Period February 1, 2010 – January 31, 2011 as follows:

BE IT RESOLVED that off-sale 3.2 percent malt liquor licenses for the period February 1, 2010, through January 31, 2011, be granted to Judy Olson (Olson's Skime Store) and Springsteel Resort Inc. (Springsteel Resort) at a fee of \$30 each; and

BE IT FURTHER RESOLVED that the Roseau County Board of Commissioners hereby grants a one-year on-sale intoxicating liquor license, effective February 1, 2010, to Springsteel Resort Inc. (Springsteel Resort) with license fee set at \$500 and an additional 20 percent, or \$100, fee set by the Lake Town Board, and also grants a Sunday license,

with license fee set at \$125, and recommends that said license be approved by the Alcohol and Gambling Enforcement Director; and

BE IT FURTHER RESOLVED that the Roseau County Board of Commissioners hereby grants a one-year on-sale intoxicating liquor license, effective February 1, 2010, to Warroad Recreation Inc. (Warroad Estates Golf Course) with license fee set at \$500 and an additional 20 percent, or \$100, fee set by the Lake Town Board, and also grants a Sunday license, with license fee set at \$125, and recommends that said license be approved by the Alcohol and Gambling Enforcement Director; and

BE IT FURTHER RESOLVED that the Roseau County Board of Commissioners hereby grants a one-year club on-sale liquor license, effective February 1, 2010, to the Fraternal Order of Eagles Aerie No. 4195 (Warroad Eagles), with license fee set at \$300 and an additional 20 percent, or \$60, fee set by the Lake Town Board, and also grants a Sunday license, with license fee set at \$125, and recommends that said license be approved by the Alcohol and Gambling Enforcement Director; and

BE IT FURTHER RESOLVED that the Roseau County Board of Commissioners hereby grants a one-year off-sale intoxicating liquor license, effective February 1, 2010, to Pine Ridge Liquor Inc. (Pine Ridge Liquor) with license fee set at \$500 and an additional 20 percent, or \$100, fee set by the Lake Town Board, and recommends that said license be approved by the Alcohol and Gambling Enforcement Director; and

BE IT FURTHER RESOLVED that the Roseau County Board of Commissioners hereby grants a one-year off-sale intoxicating liquor license, effective February 1, 2010, to Donald G. Jackson (DJ's Salol Store) with license fee set at \$500, and recommends that said license be approved by the Alcohol and Gambling Enforcement Director.

The Board, by adoption of its Consent Agenda, approved the following bills for payment:

WARRANTS APPROVED FOR PAYMENT 1/07/2010

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
3000.37	CENTURYLINK	2591.00	MN DEPT OF FINANCE-TREAS
65647.00	NW MN SERV COOP-BLUE CROSS BLU	12096.56	ROSEAU CITY
1200.00	TOWN OF HUSS		

12 PAYMENTS LESS THAN \$300 911.08

****** FINAL TOTAL..... \$85,446.01 ******

WARRANTS APPROVED ON 1/12/2010 FOR PAYMENT 1/15/2010

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
481.59	ACE HARDWARE-ROSEAU	700.00	NATHAN ADAMS
700.00	ANDREW ANDERSON	400.00	JANICE ANDERSON
7895.00	ASSN OF MN COUNTIES	1195.28	BALLARD MOTOR CO
700.00	TERRY BANDEMER	700.00	KEVIN BECKER
404.41	BRANDY CHRISTIAN	400.00	DEAUNE COLE
700.00	NATHAN COSSENTINE	388.95	TONY DORN INC
700.00	TOBI EIDSMOE	2448.25	FARMERS UNION OIL CO-LK BRNSN
404.47	FLEET SUPPLY	450.61	GRAINGER INC
700.00	STEVE GUST	700.00	KELLY GUSTAFSON
700.00	JULE HANSON	400.00	SHARON HETTEEN
931.96	HILLYARD HUTCHINSON	840.00	ISANE TRUCKING INC
414.03	JANET KLATT	2442.09	LITTLE FALLS MACHINE INC
650.00	O'NEIL LUND	400.00	HEATHER MAGNUSSON

27042.30	MAR-KIT LANDFILL	400.00	DARYL MICKELSON
700.00	KYLE MLYNAR	330123.00	MN COUNTIES INSURANCE TRUST
1539.00	MN SHERIFF'S ASSN	403.48	MULTI OFFICE PRODUCTS INC
400.00	NATIONAL ASSN OF COUNTIES	700.00	JEFF NELSON
400.00	NORTH COUNTRY WEBSITES	2495.76	NORTHERN RESOURCES COOPERATIVE
2217.89	NORTHLAND TIRE	3059.25	NW CONCRETE PRODUCTS INC
7057.00	NW MN HOUSEHOLD HAZARDOUS	567.35	POWER PLAN
337.16	PRAXAIR	3256.69	R & Q CONTRACTING INC
700.00	MATT RESTAD	1741.53	RIVERFRONT STATION
7708.28	ROSEAU CITY	593.07	ROSEAU CO SHERIFF-SUNDRY ACCOU
9930.60	ROSEAU CO SOIL & WATER CONS	525.78	SNOW-WHEEL SYSTEM INC
400.00	MARY SOLBERG	400.00	GREGORY SORENSEN
1951.69	TITAN ACCESS ACCOUNT	4625.01	ARIA TRUDEAU
20000.00	US POSTAL SERVICE	400.00	WENDY VON ENDE
14773.62	ZIEGLER INC		

41 PAYMENTS LESS THAN \$300 5,510.96

****** FINAL TOTAL..... \$476,806.06 ******

COMMENTS AND ANNOUNCEMENTS

The Board was informed that Diane Gregerson will be receiving the Minnesota State Treasurer of the year award Wednesday, January 13, 2010 during the Minnesota Association of County Officers Award Banquet. The Board room will be set up to view the presentation live via Skype. This meeting will be noticed so any and all Commissioners may attend.

Commissioner Walker informed the Board that he will be attending the MRCC meeting in Grand Rapids, Thursday, January 14, 2010.

The Board acknowledged the resignation of Priscilla VonEnde as Dispatch/Jailer effective October 16, 2009.

Commissioner Swanson informed the Board that he would like to be part of the Appraiser Trainee interview committee. The Board concurred. Interviews are scheduled for January 21st.

Coordinator Klein notified the Board that of the 87 Minnesota counties Rock and Red Lake are the only two that have not paid their National Association of Counties (NACo) dues. Minnesota will lose their vote within NACo if there is not 100% participation from all of the counties. Coordinator Klein will contact Rock County and Commissioner Swanson will contact Brent Strand from Red Lake County to explain the benefits of NACo and to encourage their participation.

Commissioner Swanson acknowledged correspondence received from the Tea Party regarding Commissioner Johnston and Commissioner Swanson. Commissioner Swanson noted that the Board approved a protocol for Board Chair rotation in January 2009. This is the predominate practice in county government. The Board followed through on the policy it adopted. Swanson noted that there is a clear distinction in authority between the County Board and the judicial branch of government. On several occasions the Board has requested clarification on this matter and has been told to let the court system handle criminal matters. The Board has followed that advice.

Swanson noted that there are two means in which a County Board may act to remove a County Commissioner. First, if the elected official is convicted of a felony they are

no longer eligible to serve in public office and the county board may call for their resignation. To date, no Roseau County Commissioner has been convicted of a felony. Secondly, if a commissioner misses meetings for three consecutive months they may be removed from the Board. No Roseau County Commissioner has missed meetings for three consecutive months.

Constituents of the district may petition for the removal of the commissioner elected to represent that district through a specific process. The Board may not initiate or participate in a petition process.

Commissioners Swanson also added that as part of the initial investigation into allegations made against Commissioner Alan Johnston to the Minnesota Department of Revenue, that the other four commissioners were also investigated. That is how it was discovered that Commissioner Rasmussen had some tax issues. No tax issues were found for Commissioners Foldesi, Swanson or Walker.

Commissioner Johnston stated that he has paid lots of taxes in his life and that his charges were based on under reporting allegations not that he did not pay taxes.

Commissioner Johnston stated that it was a historic moment at the AMC Board meeting on January 8th as it is the first time in history that two people from Roseau County were at an AMC meeting in official capacity. He noted that it is rare that northern Minnesota counties get represented and that it is important to have the voice of Roseau County heard in a larger arena. He noted that he has been appointed to the Legislative Steering Committee again and is also serving a second term as Chair of the Transportation Committee. Coordinator Klein is the current President of the Minnesota Association of County Administrators and is at the table as a representative of MACA, an affiliate association of AMC.

COMMITTEE REPORTS

Commissioner Swanson reported on the following committees: Roseau River Watershed Board Meeting, 1/6/10: Elected officers and discussed Palmville operating plan, SD 69 and WD #3; Community Justice Coordinating Committee, 1/6/10: Discussed alternatives to detention, adult restitution and focus of the CJCC; Northern Counties Land Use Coordinating Board, 1-7-10: Discussed Lessard/Sams Outdoor Heritage Council, Pilt legislation, SSTS regulations and the Land Asset Pilot Project; KaMaR, 1/11/10: Discussed new auditing services provided by Roseau County.

As part of Swanson's Committee report he gave a detailed review on the Roseau River Watershed meeting regarding a request from Joe Laurin for the county to acknowledge ownership of a half mile section of ditch in Pohlitz township as part of the State Ditch No 69 System. Laurin requested the County move forward with a drainage project that would route water from the WD 3 system, that creates flooding concerns for him, into the SD #69. Mr. Laurin presented a document from the County Auditor that noted that according to her research, the extension of State Ditch No. 69, Branch 1, begins at the NE corner of Section 3 in Moose Township and that State Ditch No. 69 begins in the middle of the north side of Section 33 in Pohlitz Township. There is no indication in this letter from the County Auditor as to the ownership of the north eastern ½ mile of this section. It is this specific area that is in question. Mr. Laurin noted that on a 1960 atlas it indicates that this section is part of SD No. 69.

Commissioner Foldesi stated that it does not make sense that this ½ mile section is not part of a ditch system.

Commissioner Johnston agreed, but stated that neither the auditor's letter nor the County Atlas is a valid legal document affirming the ownership of the ditch. Johnston added that the ditch systems are private entities and that there is a system for creating ditches and petitioning to be part of the ditch system. Part of this process assesses benefits and a ditch tax is determined based on benefit received. If new property owners want to be part of a ditch system there is a process to petition into the ditch system. Johnston stated that he is not opposed to the project in question, but rather that he wants to see the appropriate process followed. He noted that we need to determine ownership of the ditch based on actual ditch records. Commissioners Walker and Swanson have agreed to go to the Minnesota State Historical Society to research this matter. Once the documents have been located, the Board will know what direction to proceed.

Commissioner Johnston reported on the following committee meetings: Association of Minnesota Counties Board of Directors Meeting, 1/8/10: Annual meeting to elect officers, discussed economic state of MN, re-appointed to Legislative Steering Committee;

Commissioner Walker reported on the following committee meetings: Roseau River Watershed District, 1/6/10: Elected officers and discussed Palmville operating plan, SD 69 and WD #3.

Commissioner Foldesi reported on the following committee meetings: KaMaR, 1/11/10: Discussed new auditing services provided by Roseau County.

STATE REPRESENTATIVE DAVE OLIN/SENATOR LEROY STUMPF

Senator LeRoy Stumpf and Representative Dave Olin met with the Board to hear County concerns and legislative priorities for the 2010 session. Both representatives provided legislative updates and session predictions.

Chair Johnston recessed the meeting at 10:40 am. The meeting reconvened at 10:55 am.

ROSEAU COUNTY PREVENTION COALITION

Program Director Tammie Doebler and Program Coordinator Brenda Arntzen met with the Board to request approval of the Quarter 2 Financial Statistical Report. A motion was made by Commissioner Swanson, seconded by Commissioner Walker and unanimously carried to approve the Roseau County Prevention Coalition 2nd quarter Fiscal Report.

Ms. Doebler and Ms. Arntzen gave an update on the coalition activities and the Most of Us Campaign. A copy of the mid-year report will be sent electronically to the Commissioners and is available for viewing in the County Attorney or County Coordinator's Office.

Commissioner Johnston asked about the sustainability of the Coalition. Ms. Doebler noted that there is a sustainability committee and that they are looking into many options including writing a Drug Free Communities grant. If the DFC grant is received, the program would move under this umbrella and be able to expand county wide. The current structure is also designed to support sustainability of individual program elements. For example, the Truancy Mentoring Program could be taken on by the school districts and the Responsible Beverage Training and Compliancy Checks could be taken over by law enforcement.

Additionally, the success of the coalition is built on systematic changes such as policy changes and protocol changes. Statistics demonstrate that reducing access and availability of alcohol to minors, enforcing existing laws, and changing people's attitudes and social norms about drinking are the most powerful methods of changing behavior. In Roseau County Law Enforcement no longer treats underage drinking calls as nuisance calls and are tracking down and charging providers. The success of the Prevention Coalition is clearly visible by the increase in number of minors charged for alcohol related offenses and conviction of adult providers.

ENVIRONMENTAL OFFICER

Environmental Officer Jeff Pelowski met with the Board to give an update on the MPCA rule changes requiring updates to the Roseau County SSTS Ordinance. As directed by the Board, Mr. Pelowski submitted a letter to the MPCA stating the county's objection to the implementation schedule for the rule changes, noting that Roseau County will continue to enforce its existing ordinance. Polk County submitted a similar letter and received a response from the MPCA rejecting requests for an extension and suggesting that the county could lose its SSTS funding as well as water plan block grant funding. Roseau County has not yet received a response. Mr. Pelowski will keep the Board apprised of the matter.

Commissioner Johnston noted that the matter was also discussed at the AMC Board Meeting and that a resolution was passed to include in the 2010 AMC legislative platform a bill that would allow the MPCA SSTS rules to be opened up in their entirety and for implementation to be two years from the finalization of the rule making.

HIGHWAY DEPARTMENT

Engineer Ketring had no action items for the Board. Commissioner Johnston suggested that highway department items that do not require discussion be moved to consent and the Highway Engineer time slot be scheduled as an Engineer's Report upon request.

DISCUSSION

John Wynne of Wynne Consulting requested the Board approve a renewal for the current contract to provide grant writing services. Per the agreement, Wynne Consulting would pursue and write grants on behalf of the county and cities within the county. Northwest Minnesota Multi-County HRA would compensate Wynne Consulting for these services at a rate of \$7500 per year on behalf of Roseau County. In addition, Wynne Consulting would receive a sum equal to 10% of any grant received, capping at \$22,500. The cities of Greenbush and Badger have passed resolutions to participate in this program providing \$2500 in funding from each city. John Wynne is confident that the

cities of Roseau and Warroad will pass similar resolutions again leaving the Roseau County balance at \$12,500. A motion was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously to adopt the following resolution:

2010-01-04

BE IT RESOLVED, that the Board approved the continuation of the contract with Wynne Consulting, Inc for the purpose of grant preparation services.

Mr. Wynne also requested a resolution of support for Wynne Consulting to apply for an Energy Efficiency block grant in the amount of \$100,000. A motion was made by Commissioner Walker, seconded by Commissioner Foldesi and carried unanimously to adopt the following resolution:

2010-01-05

BE IT RESOLVED, that the Roseau County Board supports the submission of an Energy Efficiency and Conservation Block Grant (EECBG) in the amount of \$100,000.

A letter of support is needed to complete the application for this grant. The Board directed Coordinator Klein to compose this letter.

The Board discussed conducting an Organizational Best Practices Review for Roseau County. After discussion, the Board requested a cost breakdown and deferred further discussion to the 1-26-10 Board Meeting.

The Board discussed a request from Jim Stengrim to attend a Board meeting for the purpose of providing an update on his concerns with the Middle Snake Tamarac Rivers Watershed District. The Board requested Coordinator Klein send Mr. Stengrim a letter requesting a detailed summary of what he would like to discuss with the Board.

The Board discussed attendance at the Red River Basin Land & Water International Summit Conference January 19-21, 2010. Due to scheduling conflicts Board Members will not be able to attend but directed the Coordinators office to extend this invitation out to Department Heads within the County who would have an interest in attending.

The Board discussed attendance at a small group Drainage Workshop in Thief River Falls. Commissioner Johnston will attend.

The Board discussed payment to Victim Services Service Provider Aria Trudeau. The Board requested clarification on advanced payment for services. The County Attorney was consulted and Ms. Hanson agreed that Miss Trudeau could be paid on a monthly basis. A motion was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously to adopt the following resolution:

2010-01-06

BE IT RESOLVED, that the Board does approved payment to Aria Trudeau in the amount of \$1,541.67.

Upon motion carried, the Board adjourned the regular meeting at 12:40 p.m. The next regular meeting of the Board is scheduled for January 26, 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