

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

March 9, 2010

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, March 9, 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, Mark Foldesi, Alan Johnston, Jack Swanson and Russell Walker.

Chair Johnston welcomed newly sworn in Commissioner Roger Falk to his first Roseau County Board Meeting.

Assessor Al Heim introduced newly hired Appraiser Trainee Liz Barton to the Board.

APPROVAL OF AGENDA

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

COMMENTS AND ANNOUNCEMENTS

The Board acknowledged the attendance of Mrs. Grafstrom's Civics Class students.

Commissioner Johnston shared an article from the Star Tribune on the Minnesota Redesign.

Commissioner Johnston informed the Board of the Northwest Minnesota Foundation Grant funds that are available for Renewable Energy and Energy conservation Projects. Roseau County's grant writer John Wynne is already pursuing this opportunity.

Commissioner Swanson informed the Board of a letter received from the Rural Economic Alliance requesting support of a National Broadband Plan which would benefit the Nation but also include rural areas of the United States. A motion to draft a letter of support to the Federal Communications Commission was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously.

Commissioner Johnston informed the Board of the AMC Board of Directors Meeting scheduled for Friday, March 19, 2010 as well as the Legislative Steering Committee scheduled for that same day. Commissioner Johnston and Coordinator Klein will attend the Board of Directors meeting and Commissioner Johnston will attend the Legislative Steering Committee Meeting.

Commissioner Johnston notified the Board of a bill that is in process which could affect how gas tax allotments are distributed to the trail systems in Minnesota.

Commissioner Swanson informed the Board that he will be attending the Regional Radio Board meeting taking place in Thief River Falls on Wednesday, March 10, 2010.

Commissioner Swanson shared a letter with the Board from Commissioner Dennis Fink of St. Louis County to Douglas Skrief of the Northern Counties Land Use Coordinating Board regarding the Clean Water, Land and Legacy Amendment Oversight Committee. Commissioner Fink is concerned with the lack of representation from Northern Minnesota on the Lessard-Sams Outdoor Heritage Fund Committee and the possible DNR land acquisitions in Northern Minnesota.

Coordinator Klein informed the Board of the Wage Negotiation meeting schedule for Thursday, March 11, 2010 with Roseau County Law Enforcement Labor Services at 6:00 p.m. in the Roseau County Board Room.

The Board acknowledged correspondence from Jim Jenson.

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 February 12, 2010 Board Meeting and the March 3, 2010 Special Board Meeting.

The Board, by adoption of its Consent Agenda, approved the 2010 – 2012 Unorganized Townships Fire Contracts with the City of Roseau.

The Board, by adoption of its Consents Agenda, approved a Minnesota Lawful Gambling Permit for the Minnesota Fraternal Order of Police Lodge 22 for a raffle at their annual event at the Springsteel Resort on July 31, 2010.

PUBLIC HEARING ON ROSEAU COUNTY MINI TRUCK ORDINANCE #36

Chair Johnston recessed the regularly scheduled Board Meeting to open the public hearing to obtain public input regarding the Roseau County Mini-Truck Ordinance #36.

A motion to open the Public Hearing on the Mini-Truck Ordinance #36 was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously.

Commissioner Johnston called for written and public comment. Commissioner Swanson noted that he had received a call clarifying whether the ordinance included Center Street in Roseau. No other comments were received.

The Board discussed adding additional roads and agreed to add County State Aid Highway 74 (Taylor Road/Lake Street) from State Highway No 313 to State Highway No. 11 and County State Aid Highway 75 (Cedar Street) from the intersection of State Highway 11 and 313 to County State Aid Highway 35. The Board also agreed that operators of a Mini-Truck must be licensed drivers and obtain a permit. The Board agreed not to charge a fee at this time. The Roseau County Sheriff's Office will issue the permits and complete the vehicle safety inspection.

A motion to close the public hearing was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously.

Commissioner Johnston called the regularly scheduled Board Meeting back to order.

A motion was made by Commissioner Foldesi, seconded by Commissioner Falk and carried by a 4-0 vote with Commissioner Walker abstaining to adopt the following ordinance:

ROSEAU COUNTY ORDINANCE NO. 36

ROSEAU COUNTY ORDINANCE FOR THE OPERATION OF ALL MINI TRUCKS ON CERTAIN ROADS WITHIN THE COUNTY'S JURISDICTION

THE COUNTY OF ROSEAU DOES ORDAIN:

Subdivision 1. Adoption by reference of Minnesota Statute

Except as specifically addressed or modified the provisions of Minnesota statutes § 169.045 and § 169.011 subdivision 40a, are hereby incorporated by reference.

Findings, purpose and intent.

Minnesota Statutes § 169.045 regulates the use of mini trucks. Consistent with this statute, and to provide for the health, safety and welfare of its citizens, this Ordinance is enacted to regulate the use of mini trucks on county state aid highways and county roads within Roseau County.

The County makes the following findings:

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

County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141

County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park

County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10

County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)

County State Aid Highway 74 (Taylor Road/Lake Street) from State Highway No 313 to State Highway No. 11

County State Aid Highway 75 (Cedar Street) from the intersection of State Highway 11 and 313 to County State Aid Highway 35

County State Aid Highway 5

County State Aid Highway 6

County State Aid Highway 8

County State Aid Highway 10

County State Aid Highway 11

County State Aid Highway 12

County State Aid Highway 13

County State Aid Highway 14

County State Aid Highway 15

County State Aid Highway 16

County State Aid Highway 17
County State Aid Highway 18
County State Aid Highway 19
County State Aid Highway 20
County State Aid Highway 21
County State Aid Highway 22
County State Aid Highway 23
County State Aid Highway 24
County State Aid Highway 25
County State Aid Highway 26
County State Aid Highway 28
County State Aid Highway 29
County State Aid Highway 31
County State Aid Highway 33
County State Aid Highway 34
County State Aid Highway 35
County State Aid Highway 37
County State Aid Highway 38
County State Aid Highway 42
County State Aid Highway 43
County State Aid Highway 44
County State Aid Highway 45
County State Aid Highway 46
County Road 101
County Road 102
County Road 103
County Road 104
County Road 105
County Road 106
County Road 107
County Road 108
County Road 109
County Road 111
County Road 112
County Road 113
County Road 114
County Road 115
County Road 116
County Road 117
County Road 118
County Road 119
County Road 120
County Road 121
County Road 122
County Road 123
County Road 124
County Road 125
County Road 126
County Road 127
County Road 128
County Road 129

County Road 130
County Road 131
County Road 132
County Road 133
County Road 134
County Road 135
County Road 136
County Road 137
County Road 138
County Road 139
County Road 140
County Road 141
County Road 142
County Road 144
County Road 147
County Road 148
County Road 149

Subdivision 2. Definitions.

The following definitions apply to this Ordinance.

1. Mini truck means a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 571.101 to 571.404, and successor requirements.

(b) A mini truck does not include:

- (1) a neighborhood electric vehicle or a medium-speed electric vehicle; or
 - (2) a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.
2. **County** means the County of Roseau, Minnesota.
 3. **County State Aid Highway** or **CSAH** means the following roads located in Roseau County:

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

County State Aid Highway 74 (Taylor Road/Lake Street) from State Highway No 313 to State Highway No. 11

County State Aid Highway 75 (Cedar Street) from the intersection of State Highway 11 and 313 to County State Aid Highway 35

County State Aid Highway 5
County State Aid Highway 6
County State Aid Highway 8
County State Aid Highway 10
County State Aid Highway 11
County State Aid Highway 12
County State Aid Highway 13
County State Aid Highway 14
County State Aid Highway 16
County State Aid Highway 17
County State Aid Highway 18
County State Aid Highway 19
County State Aid Highway 20
County State Aid Highway 23
County State Aid Highway 24
County State Aid Highway 28
County State Aid Highway 30
County State Aid Highway 33
County State Aid Highway 34
County State Aid Highway 35

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

- County Road 101
- County Road 102
- County Road 103
- County Road 104
- County Road 105
- County Road 106
- County Road 107
- County Road 108
- County Road 109
- County Road 111
- County Road 112
- County Road 113
- County Road 114
- County Road 115
- County Road 116
- County Road 117
- County Road 118
- County Road 119
- County Road 120
- County Road 121
- County Road 122
- County Road 123
- County Road 124

- County Road 125
- County Road 126
- County Road 127
- County Road 128
- County Road 129
- County Road 130
- County Road 131
- County Road 132
- County Road 133
- County Road 134
- County Road 135
- County Road 136
- County Road 137
- County Road 138
- County Road 139
- County Road 140
- County Road 141
- County Road 142
- County Road 144
- County Road 147
- County Road 148
- County Road 149

Subdivision 3. Permitted Operation of Mini Trucks on certain roads in Roseau County.

1. Except as provided below and in Minnesota Statutes § 169.045 it shall be unlawful for any person to operate a Mini Truck on any County State Aid Highway or county road within Roseau County.
2. It shall be permissible to operate a Mini Truck on the roadway on the following County State Aid Highways and County Roads within Roseau County:
 - County State Aid Highway 2 from County State Aid Highway 13 east sixteen (16) miles to County Road 141
 - County State Aid Highway 4 from Trunk Highway 89 east nine (9) miles to Hayes Lake State Park
 - County State Aid Highway 7 from Kittson County State Aid Highway No. 25 south and east to County State Aid Highway 10
 - County State Aid Highway 72 (excepting 2nd Ave. SE to 2nd Ave. SW in the City of Roseau)
 - County State Aid Highway 74 (Taylor Road/Lake Street) from State Highway No 313 to State Highway No. 11
 - County State Aid Highway 75 (Cedar Street) from the intersection of State Highway 11 and 313 to County State Aid Highway 35
 - County State Aid Highway 6
 - County State Aid Highway 8
 - County State Aid Highway 10
 - County State Aid Highway 11
 - County State Aid Highway 12
 - County State Aid Highway 13

- County State Aid Highway 14
- County State Aid Highway 15
- County State Aid Highway 16
- County State Aid Highway 17
- County State Aid Highway 18
- County State Aid Highway 19
- County State Aid Highway 20
- County State Aid Highway 21
- County State Aid Highway 22
- County State Aid Highway 23
- County State Aid Highway 24
- County State Aid Highway 25
- County State Aid Highway 26
- County State Aid Highway 28
- County State Aid Highway 29
- County State Aid Highway 31
- County State Aid Highway 33
- County State Aid Highway 34
- County State Aid Highway 35
- County State Aid Highway 37
- County State Aid Highway 38
- County State Aid Highway 42
- County State Aid Highway 43
- County State Aid Highway 44
- County State Aid Highway 45
- County State Aid Highway 46
- County Road 101
- County Road 102
- County Road 103
- County Road 104
- County Road 105
- County Road 106
- County Road 107
- County Road 108
- County Road 109
- County Road 111
- County Road 112
- County Road 113
- County Road 114
- County Road 115
- County Road 116
- County Road 117
- County Road 118
- County Road 119
- County Road 120
- County Road 121
- County Road 122
- County Road 123
- County Road 124
- County Road 125
- County Road 126

- County Road 127
- County Road 128
- County Road 129
- County Road 130
- County Road 131
- County Road 132
- County Road 133
- County Road 134
- County Road 135
- County Road 136
- County Road 137
- County Road 138
- County Road 139
- County Road 140
- County Road 141
- County Road 142
- County Road 144
- County Road 147
- County Road 148
- County Road 149

3. Persons operating mini trucks on the roadways listed in Subdivision 3 must have a permit. The Sherriff's Office shall authorize the issuance of permits and may recommend the denial of a permit if the applicants driving status is revoked, suspended or cancelled. The Sheriff's Office shall collect a fee, as determined by the County Board, for the issued permit.

- a. Requirements for a Permit.

Application shall be made in a form supplied by the County and shall contain the information listed below. All permits shall be issued for a specific mini truck. The permit shall be issued with a specific license number; the applicant is responsible for obtaining self adhesive numbers at least three inches tall and applying them to both sides of that specific mini truck.

- 1) All mini truck owners must provide proof of liability insurance at all times when operating on a roadway and a certificate of insurance must be submitted at the time of the permit application.
- 2) The make, model number, serial number and year of the mini truck is required.
- 3) The applicant shall supply a current valid driver's license showing name, address and age. The driver's license shall be photocopied for the county records.
- 4) The mini truck shall be inspected by the Sheriff's Office to determine that it has the required equipment pursuant to Minnesota Statute § 169.045 Subdivision 7a.
- 5) The permit shall be issued for a calendar year (January 1st through December 31st) and is to be renewed annually and the fee paid.

4. Except as otherwise provided in this Ordinance, all operation of mini trucks shall be in compliance with Minnesota Statutes §169.045, as well as any other federal, state, or local rule or regulation.

Subdivision 4. Effective Date

This ordinance shall be in full force and effect upon adoption pursuant to Minnesota law. Dated this 9th day of March, 2010.

DISCUSSION

The Board discussed filling the vacated Financial Worker Position in Social Services. Commissioner Foldesi requested more data to support a hire for this position. Foldesi requested numbers on how the caseload would be affected should the position not be filled and whether the caseload could be distributed among the five Financial Officers currently employed at Social Services.

A motion to approve filling the Financial Officer Position was made by Commissioner Swanson, seconded by Commissioner Walker and failed by a 2-3 vote with Commissioners Johnston and Swanson in favor and Commissioners Falk, Foldesi and Walker opposed. Commissioner Foldesi requested more data regarding the need to fill the position including information on the impact to constituents if the position is not filled and how the vacancy will impact the department. The Board will discuss the vacancy at the Social Service Board meeting on March 22, 2010. The matter will be on the March 30, 2010 Board meeting agenda for action.

Upon motion carried, the Board adjourned the regular meeting at 9:30 a.m. The next regular meeting of the Board is scheduled for March 16, 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