

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

January 11, 2011

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, January 11, 2011 at 8:30 a.m.

CALL TO ORDER

The meeting was called to order at 8:30 a.m. by County Coordinator Trish Klein. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, Mark Foldesi, Glenda Phillipe, Jack Swanson, and Russell Walker.

APPROVAL OF AGENDA

Discussion of elected official salaries was added to the agenda. A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to approve the agenda.

GOVERNOR MARK DAYTON, DNR COMMISSIONER TOM LANDWEHR, SENATOR LEROY STUMPF, REPRESENTATIVE DAN FABIAN AND US SENATOR AL FRANKEN

Governor Mark Dayton, newly appointed DNR Commissioner Tom Landwehr, Senator Leroy Stumpf, Representative Dan Fabian and US Senator Al Franken met with the Board to hear concerns and legislative priorities. Governor Dayton advised that he can't grant everyone's request, but that he would listen.

CONSENT AGENDA

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

The Board by adoption of its consent agenda, approved Resolution 2011-01-03 approving 2011 liquor licenses; approved, per policy, a step increase for Homeland Security Emergency Manager Gracia Nelson; rescinded resolution 2010-11-08; acknowledged County Recorder Pam Grand's Compliance Report per MN Statute 357.182; approved, per policy, Chief Deputy Terry Bandemer Benefit Payout; approved, per policy, Marlys Horvath's benefit payout; and approved bills for payment as follows:

Warrants Approved for Payment 12/30/2010

Vendor Name	Amount
Aflac	3,068.52
Capital Guardian Trust Co	2,619.79
Cenex Credit Cards	2,949.12
Goulet Construction	15,715.45
MN Energy Resources	3,341.40
Nationwide Retirement Solutions	2,777.12

5 Payments less than 2,000 \$2,356.83

Final Total: \$32,828.23

Warrants Approved for Payment 1/06/2011

Vendor Name	Amount
JD Seamless Siding, Inc	9,359.00

15 Payments less than 2,000 \$6,469.38
Final Total: \$15,828.38

Warrants Approved On 1/11/2011 for Payment 1/13/2011

Vendor Name	Amount
Farmers Union Oil Co-Lk Brnsn	2,878.67
Farmers Union Oil Co-Warroad	3,096.25
North American Salt Company	10,762.67
Power Plan	2,472.54
Riverfront Station	2,116.34
Roseau Co Coop Assn	5,698.79

22 Payments less than 2,000 \$7,029.96
Final Total: \$34,055.22

Warrants Approved On 1/11/2011 for Payment 1/14/2011

Vendor Name	Amount
Assn of MN Counties	8,945.00
Comstock Custom Mowing & Snow Removal	4,280.00
Mar-Kit Landfill	28,134.00
MN Counties Computer Coop	33,970.10
MN Counties Intergovernmental Trust	2,500.00
MN Transportation Alliance	2,285.00
Roseau Co Soil & Water Cons	9,975.00

48 Payments less than 2,000 \$16,491.02
Final Total: \$106,580.12

BID OPENING

Sealed bids were received until 9:00 a.m., per advertised notice, for year 2011 publishing. Administrative Assistant Ann Marie Miller opened the bids. Bids were received, from the Greenbush Tribune, the Roseau Times-Region, and Warroad Pioneer as follows:

- 1) First publication of the 2010 Financial Statement Summary pursuant to M.S. §375.17 in the year 2011.

The Tribune	\$1.19 per column inch
Roseau Times-Region	\$1.25 per column inch
Warroad Pioneer	\$1.35 per column inch
- 2) Second publication of the 2010 Financial Statement Summary pursuant to M.S. §375.17 in the year 2011.

The Tribune	\$1.29 per column inch
Roseau Times-Region	\$2.25 per column inch
Warroad Pioneer	\$2.50 per column inch
- 3) Publication of the County Board Proceedings pursuant to M.S. §375.12, and the publication of all legal notices of the County, including bid and public hearing notices, sample ballots, boxed employment ads, and all other publishing requests, needs or requirements of the County, regardless of size, type and/or format, known or unknown, during the year 2011.

The Tribune	\$1.19 per column inch
Roseau Times-Region	\$1.25 per column inch
Warroad Pioneer	\$1.35 per column inch
- 4) Two publications of the list of delinquent taxes pursuant to M.S. §279.05, 279.06, 279.07, 279.08, and 279.09.

The Tribune	\$1.25 per column inch
Roseau Times-Region	\$1.19 per column inch
Warroad Pioneer	\$1.35 per column inch

After review of the bids, a motion was made by Commissioner Swanson to award the bid to the Roseau Times Region based on circulation. Commissioner Phillipe seconded the motion for discussion. The motion failed 2-3 with Commissioners Swanson and Phillipe in favor and Commissioners Falk, Foldesi, and Walker opposed. A motion was made by Commissioner Walker, seconded by Commissioner Falk, and carried by a 4-1 vote with Commissioners Falk, Foldesi, Swanson and Walker in favor and Phillipe opposed to adopt the following resolution:

2011-01-04

BE IT RESOLVED, that **The Tribune** be designated to publish the first publication of the year 2010 Financial Statement Summary at the rate of \$1.19 per column inch.

BE IT FURTHER RESOLVED, that **The Tribune** be designated as the official county newspaper to publish the County Board Proceedings pursuant to M.S. §375.12, and publication of all legal notices of the County, including bid and public hearing notices, sample ballots, boxed employment ads, and all other publishing requests, needs or requirements of the County, regardless of size, type and/or format, known or unknown, during 2011, at the rate of \$1.19 per column inch and that a contract will be awarded.

BE IT FURTHER RESOLVED, that **The Tribune** be designated to publish the notice and list of real estate taxes remaining delinquent pursuant to M.S. §279.05, 279.06, 279.07, 279.08, and 279.09, at the rate of \$1.19 per column inch.

A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously, to adopt the following resolution:

2011-01-05

BE IT FURTHER RESOLVED, that the **Roseau Times Region** be designated to publish the second publication of the 2010 Financial Statement Summary at the rate of \$2.25 per column inch.

VICTIM SERVICES

County Attorney Karen Foss met with the Board as a follow up to the January 4, 2011 meeting. Ms. Foss informed the Board that she has met with the Program Coordinator and reviewed the grant and program needs and requests that the Board authorize filling a temporary part-time advocate position. Ms. Foss noted that the position is grant funded. Ms. Foss also requested that the Board authorize the Victim Service Program to utilize compensatory time as an alternate to over-time compensation as the grant funding cannot be managed adequately if over-time had to be paid.

A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to authorize the Victim Services Program to utilize compensatory time.

A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to authorize the County Attorney to fill a temporary part-time victim advocate position.

HIGHWAY DEPARTMENT

The Board discussed a gravel contract. A motion was made by Commissioner Falk, seconded by Commissioner Walker, and carried unanimously to approve a gravel contract with Lester and Verna Grafstrom effective January 1, 2011 to December 31, 2013 at a rate of \$1.15 per cubic yard contingent upon review and approval by the County Attorney.

A motion was made by Commissioner Falk, seconded by Commissioner Swanson, and carried unanimously to approve final payout to Spruce Valley Corporation in the amount of \$8,524.83 on S.A.P. 068-599-090.

Engineer Ketring requested the Board authorize the purchase of two Caterpillar motor graders. After discussion, a motion was made by Commissioner Falk, seconded by Commissioner Swanson, and carried unanimously to authorize the purchase of two new Caterpillar Tier IV Interim 140MAWD Motor Graders from Ziegler at a state bid price of \$286,907 less trade in allowance on two 2004 John Deer Motor Graders one in the amount of \$91,650 and one in the amount of \$91,550 for a total net price of \$390,614.

The Board discussed the possible replacement of the Badger Highway Department shop. The Highway Department Committee was authorized to negotiate a price on behalf of the county.

DISCUSSION

The Board discussed development of a County Board ethics policy. The Board reviewed a model policy developed by AMC. Commissioners Swanson and Phillippe agreed to work with Coordinator Klein to develop a draft Roseau County Ethics Policy for Board review.

The Board reviewed and discussed the Board meeting management policy. The Board added language regarding cell phone usage and approved by consensus the policy for year 2011.

The Board discussed compensatory time. A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to rescind motion number 2010-12-02 and authorized department heads to decide whether to pay overtime for hours worked in excess of 40 or to utilize compensatory time based on the best interest of their business unit provided it is in compliance with collective bargaining agreements.

The Board discussed Recorder Pam Grand's request to establish a regular part-time position. When Ms. Grand was appointed to fill the unexpired term of Rick Kvien, one regular full time equivalent position was eliminated. The Board authorized Ms. Grand to fill the vacancy with temporary part-time staff. Since that time Ms. Grand has utilized on average a half time (.5 FTE) employee to accomplish the duties of the Recorder's Office. Ms. Grand is satisfied with the work of the temporary employee and would like to make this person a regular part-time employee. The Board noted that this would be a violation of our

Uniform Hiring Policy and that if a regular part-time position was created it would have to be advertised and filled according to policy. The Board deferred action on the matter.

COMMITTEE REPORTS

Commissioner Falk reported on the following committee meeting(s): Roseau River Watershed District, 1/5/11; Wage Committee Meeting, 1/7/11; Minnesota Rural Counties Caucus, 1/10/11;

Commissioner Foldesi reported on the following committee meeting(s): Roseau River Watershed District, 1/4/11; Two Rivers Watershed District, 1/5/11; Wage Committee Meeting, 1/7/11; KaMaR Board meeting, 1/10/11.

Commissioner Phillipe reported on the following committee meeting(s): Warroad River Watershed District, 1/5/11.

Commissioner Swanson reported on the following committee meeting(s): Roseau Economic Development Authority, 12/29/10; Roseau City Council, 1/3/11; Roseau River Watershed District, 1/5/11; Community Justice Coordinating Committee, 1/5/11; Northern Counties Land use Coordinating Board, 1/6/11; KaMaR Board meeting, 1/10/11.

Commissioner Walker reported on the following committee meeting(s): Warroad River Watershed District, 1/5/11; Minnesota Rural Counties Caucus, 1/10/11.

A motion was made by Commissioner Falk seconded by Commissioner Walker, and carried unanimously to adopt the following resolution:

2011-01-06

WHEREAS, the Minnesota Open Meeting Law, Minn. Stat. § 13D.03, subd. 1(b) states that “the governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 and 179A.25”; and

WHEREAS, it would be detrimental to the interests of the County for the Board to hold a public discussion regarding this matter;

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

1. The County Board hereby closes this meeting pursuant to Minn. Stat. § 13D.03, subd. 1(b);
2. The specific subject to be discussed, pursuant to Minn. Stat. § 13D.01, subd. 3, is review and discuss Highway Department Employees Association, Inc. labor negotiation proposals and elected official salaries.

Chair Foldesi reopened the meeting at 12:30 pm.

A motion was made by Commissioner Swanson, seconded by Commissioner Falk, and carried 4-1 with Commissioners Falk, Foldesi, Phillipe, and Swanson in favor and Commissioner Walker opposed to adopt the following resolution:

2011-01-07

BE IT RESOLVED that the Board does hereby approve a three year contract effective December 26, 2010 to December 21, 2013 with the Roseau County Highway Department Employees Association, Inc which includes the following agreements:

- 50:50 cost share of the 15% increase in the 2011 County Health Insurance premium for 2011 equivalent to \$261.75 contribution to the single monthly premium and \$632.50 toward the family monthly premium for either the \$2,250 deductible VEBA plan or the \$5,000 deductible HSA plan.
- Insurance re-opener in years 2012 and 2013
- Contribution to VEBA accounts in the amount of \$1,200 per year (\$100 monthly) for single policies and \$2,400 per year (\$200) for family policies.
- Annual wage increases as follows:
 - 2% cost of living increase in 2011
 - 0% cost of living increase in 2012
 - 0% cost of living increase in 2013

BE IT FURTHER RESOLVED, this contract agreement is retroactive to the first pay period of 2011, December 26, 2010.

BE IT FURTHER RESOLVED, the Board agrees to extend the "Overtime after Eight" Memorandum of Understanding through this contract with a mutual agreement to sunset the MOU on December 21, 2013.

The Board set elected official salaries on December 14, 2010. The salary of the Sheriff was set at a Grade 11 Step A or \$58,950. The salary of the Auditor was set at Grade 11, Step A or \$58,950. The salary of the County Attorney was set at Grade 14 Step A or \$79,165. In 2006 the Board established a system to determine elected official compensation utilizing value of the position and comparable worth. The starting salary approved by the Board in December for newly elected officials reflected Step A on the salary structure based on the criteria that the elected officers were in their first term in office.

A request was made by Roseau County Attorney Karen Foss for the Board to set the starting wage for her office at the same rate incumbent, Lisa Hanson, was at when her term ended. Ms. Hanson was at a Grade 14 Step B, or \$83,876.39. Ms. Hanson began at a Grade 14 Step A.

Sheriff Steve Gust also requested that his compensation be evaluated. Mr. Gust noted that at a Grade 11 Step A, he would be earning less than the Chief Deputy and due to the 2184 hour work schedule of law enforcement officers vs. the 2080 work schedule for exempt employees, such as the Sheriff, he would earn only a few thousand more than a road deputy.

In response to these requests, the Board solicited an updated salary study of Elected Official salaries. The Board reviewed and discussed the study conducted by Trusight, Inc.

The report noted that the average comparable salary for a Sheriff is \$77,753. The current salary range for 2011 is \$58,950.94 to \$74,691.28. The Sheriff's salary was set at \$58,950.94. Set at the maximum salary (11G), the Sheriff's compensation would be \$3,061.72 below average. Set at current rate, the Sheriff's compensation is \$18,802.06 below average.

The report indicated that the average County Attorney compensation is \$92,370. Roseau County's range is \$79,165.34 to \$98,313.39. The County Attorney's salary was set at \$79,165.34 for 2011. Set at the maximum salary (Grade 14G) this rate would be \$5,943.39 above average. Set at the current rate, the County Attorney's compensation is \$13,204.66 below average.

By statute the Board cannot lower elected official salaries during the official's term. However, the Board can increase the compensation. The Board agreed to increase the starting salary for all three newly elected officers from Step A to Step B and to increase the Sheriff's Grade from an 11 to a 12. Utilizing the counties compensation schedule the salary at year four (2014) for these offices would be \$91,938.43, for the Attorney, \$70,150, for the Auditor, and \$75,989.45, for the Sheriff.

A motion was made by Commissioner Swanson, seconded by Commissioner Phillippe and carried unanimously to re-set the three newly elected officials, the Auditor, Attorney, and Sheriff rates as follows for 2011:

Attorney	\$82,364.41 (14B)
Auditor	\$61,547.29 (11B)
Sheriff	\$67,342.70 (12B)

Upon motion carried, the Board adjourned the regular meeting at 1:15 pm. The next regular meeting of the Board is scheduled for January 25, 2011 at 8:30 a.m.

Attest:

Date: _____

Teresa Klein, Board Clerk
Roseau County, Minnesota

Mark Foldesi, Chair
Board of County Commissioners
Roseau County, Minnesota