

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

June 14, 2011

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, June 14, 2011 at 10:30 a.m.

CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

The meeting was called to order at 10:30 a.m. by Chair Mark Foldesi. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, Mark Foldesi, Glenda Phillipe, and Jack Swanson. Russell Walker was excused. A quorum was established.

APPROVAL OF AGENDA

Removed item #11 (approve settlement agreement for Arlen Block) from the Consent Agenda to Unfinished Business and added an update of the Patrick Fish Lawsuit to New Business. A motion to approve the amended agenda was made by Commissioner Swanson, seconded by Commissioner Falk and carried unanimously.

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

A motion to approve the Consent Agenda was made by Commissioner Phillipe seconded by Commissioner Falk and carried unanimously.

The Board by adoption of its Consent Agenda approved proceedings from the May 24, 2011 Board meeting; approved resolution #2011-06-01 amending the Joint Powers Agreement Governing the Northwest Regional Radio Board; Approved the Northstar ATV Grant in Aid Request; approved the application for the Badger Jaycees temporary liquor license; approved benefit payouts for Andrew Anderson and Teresa Klein; approved the Board of Criminal Apprehension Joint Powers Agreement; approved the appointment of Jeff Pelowski, Martie Monsrud, Patty Ignaszewski and Karen Foss to the Human Resource Committee; authorized Commissioner approved payout of up to \$4000 for gravel purchases in unorganized townships; approved forthwith payments as follows: Walter Storey in the amount of \$325.00 for interior courthouse painting; Mark Wojciechowski in the amount of \$750.00 for dam inspection and beaver removal; R & Q Trucking in the amount of \$450.00 for beaver dam removal; R & Q Trucking in the amount of \$1,915.00 for work on SD 69 Lateral 3, and approved payment of bills as follows:

Warrants Approved for Payment 5/26/2011

Vendor Name	Amount
MN ENERGY RESOURCES	2,695.37
R & Q CONTRACTING INC	35,904.00
SATHER LAW OFFICE	4,838.05
4 Payments less than 2,000	\$1,942.68
Final Total: \$45,380.10	

Warrants Approved for Payment 6/02/2011

Vendor Name	Amount
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CAPITAL GUARDIAN TRUST CO	2,136.85
NATIONWIDE RETIREMENT SOLUTIONS	2,155.97
NORTH STAR ATV CLUB	4,837.20
NW MN SERV COOP-BLUE CROSS BLUE SHIELD	66,951.50
SELECT ACCOUNT-VEBA	9,154.22
UNITED HEALTHCARE INSURANCE COMPANY	2,274.69
10 Payments less than 2,000	\$6,278.04
Final Total:	\$93,788.47

Warrants Approved for Payment 6/09/2011

Vendor Name	Amount
CENTURYLINK	3,270.11
JOHNSON/LAURE A	3,526.88
MN DEPT OF FINANCE -TREAS	2,247.00
R & Q CONTRACTING INC	58,053.60
ROSEAU CITY	9,432.78
ROSEAU CO TRAILBLAZERS	12,184.40
15 Payments less than 2,000	\$6,574.18
Final Total:	\$95,288.95

Warrants Approved On 6/14/2011 for Payment 6/17/2011

Vendor Name	Amount
ACS	4,694.98
ARROWHEAD RADIO AND SECURITY	16,010.94
BROCK WHITE CO LLC	23,619.25
FARMERS UNION OIL CO-LK BRNSN	3,212.27
FARMERS UNION OIL CO-WARROAD	6,911.78
GARTNER REFRIGERATION CO	6,321.81
H & L MESABI INC	4,248.13
HALVERSON SAND & GRAVEL INC	5,597.50
HOFFMAN DALE & SWENSON PLLC	3,820.00
HORNER PLUMBING & EXCAVATION	2,920.50
JOHNSON OIL CO INC	7,119.00
JOHNSTON FARGO CULVERT INC	47,524.22
MAR-KIT LANDFILL	37,389.75
MINN-DAK ASPHALT INC	4,697.53
MUSTANG SIGNS & GRAPHICS	5,023.13
NORTHERN RESOURCES COOPERATIVE	9,426.75
RIVERFRONT STATION	5,163.53
ROSEAU CO COOP ASSN	12,524.26
ROSEAU CO ENVIRONMENTAL OFFICE	5,622.47
SJOBERG'S INC	2,718.20
STOSKOPF REDI MIX ROSEAU INC	4,770.96
SWANSTON EQUIPMENT CORPORATION	3,298.70
TESSCO TECHNOLOGIES INC	2,061.48
US BEARINGS AND DRIVES	3,308.60
101 Payments less than 2,000	\$37,861.31
Final Total:	\$265,867.05

HIGHWAY DEPARTMENT

Joe Laurin submitted a Request for Board Action requesting acknowledgement of Highway Engineer Brian Ketrings work as the Drainage Inspector for the County. The Board discussed officially appointing Engineer Ketrings as the Drainage Inspector and will consult with the Rinke Noonan Law Firm before a final decision is made.

The Board approved the following contracts for Highway Construction:

A motion to approve DR 1830 Job No. CD7, FEMA PW 2034 in the amount of \$44,315.15 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Swanson, seconded by Commissioner Phillippe and carried unanimously.

A motion to approve DR 1830 Job No. CD7, FEMA PW 2046 in the amount of \$41,974.00 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Phillippe, seconded by Commissioner Falk and carried unanimously.

A motion to approve DR 1830 Job No. CD9, FEMA PW 2040 in the amount of \$47,559.80 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Falk, seconded by Commissioner Swanson and carried unanimously.

A motion to approve DR 1830 Job No. JD 63, FEMA PW 1850 in the amount of \$10,435.16 for Clay Fill and Quarry Run Rip Rap was made by Commissioner Swanson, seconded by Commissioner Phillippe and carried unanimously.

A motion to approve DR 1830 Job No. SD72, FEMA PW 1988 in the amount of \$68,167.43 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Phillippe, seconded by Commissioner Falk and carried unanimously.

A motion to approve DR 1830 Job No. SD 91, FEMA PW 1978 in the amount of \$65,368.40 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Falk, seconded by Commissioner Swanson and carried unanimously.

A motion to approve DR 1830 Job No. SD 91 FEMA PW 2015 in the amount of \$46,524.05 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Swanson, seconded by Commissioner Phillippe and carried unanimously.

A motion to approve DR 1830 Job No. CD 9 and 10, FEMA PW 1993 in the amount of \$41,924.40 for Roadside Ditch Slope Failure Repair and Turf Establishment was made by Commissioner Phillippe, seconded by Commissioner Falk and carried unanimously.

UNFINISHED BUSINESS

The Board discussed acquiring additional quotes for painting the west Beito Building. A motion to request quotes for painting the west Beito building to include a painting completion date of July 31, 2011 was made by Commissioner Swanson, seconded by Commissioner Falk and carried unanimously.

NEW BUSINESS

Environmental Officer Jeff Pelowski presented the Board with quotes to purchase a wheel loader for the Transfer Station. This purchase was included in the Transfer Stations 2011 budget. A motion was made by Commissioner Phillippe, seconded by Commissioner Foldesi and carried unanimously to adopt the following resolution:

2011-06-02

BE IT RESOLVED, that the Board does hereby approve the purchase of a 2011 Komatsu WA250PZ-6 Loader from General Equipment for a net price of \$66,500 plus \$500 for an added environmental drain kit for a total price of \$67,000. (Purchase price is \$114,000 minus trade in of 2003 Case Wheel Loader in the amount of \$47,000.)

County Attorney Karen Foss updated the Board on a suit filed against the County by Mr. Patrick Fish with regard to property classification. Ms. Foss noted that motions for Summary Judgment were filed with the District Court.

COMMITTEE REPORTS

Commissioner Falk reported on the following committee meeting(s): Roseau River Watershed District, 6/1/11; Human Resource Committee, 6/6/11; Department Head meeting, 6/7/11; AMC District 3 meeting, 6/7/11; Roseau County Radio Users Committee, 6/9/11; Board Work Session, 6/13/11; Transportation Advisory Committee, 6/13/11.

Commissioner Foldesi reported on the following committee meeting(s): Human Resource Committee, 6/6/11; Department Head Meeting, 6/7/11; Human Resource Committee meeting, 6/7/11; Board Work Session, 6/13/11.

Commissioner Phillippe reported on the following committee meeting(s): Warroad Joint Airport Zoning Board, 6/6/11; Roseau County Department Head meeting, 6/7/11; Lake Township Board, 6/8/11; AMC District 3 meeting, 6/9/11; Warroad City Council, 6/13/11; Warroad School Board, 6/13/11.

Commissioner Swanson reported on the following committee meeting(s): Public Health Committee, 5/24/11; Roseau Economic Development Authority, 5/25/11; Statewide Radio Board, 5/26/11; AMC Future Teleconference, 5/21/11; Roseau River Watershed Board, 6/1/11; Community Justice Coordinating Committee, 6/1/11; Roseau Athletic Hall of Fame Committee, 6/1/11; Northern Counties Land Use Coordinating Board, 6/2/11; Coordinator Information Session, 6/6/11; Roseau Convention and Visitors Bureau, 6/6/11; Roseau City Council, 6/6/11; Department Head Meeting, 6/7/11; Regional Radio Board, 6/8/11; AMC District 3 meeting, 6/9/11; Roseau County Radio Users Committee, 6/9/11; Board Work Session, 6/13/11.

Commissioner Walker reported on the following committee meeting(s): Minnesota Rural Counties Caucus, 6/6/11; Department Head meeting, 6/7/11; Board Work Session, 6/13/11.

A motion to close the regular Board meeting was made by Commissioner Falk, seconded by Commissioner Swanson and carried unanimously.

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

2011-06-03

WHEREAS, The Minnesota Open Meeting Law states “meetings may be closed if the closure is expressly authorized by statute by the attorney-client privilege”; and

WHEREAS, it would be detrimental to the interests of the County to hold a public discussion with its attorney regarding the strengths and weaknesses of its legal position(s) and strategy with respect to threatened litigation where an opposing party could listen to or be made aware of the County’s positions; and

WHEREAS, it is in the best interest of the County for the Board to obtain legal advice in a confidential setting in order to maintain the attorney-client privilege;

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

1. The 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. § 13.01, subd. 3, are the claims against the County, the legal position(s) of the County, the costs associated with the legal action and the possible action(s) to be taken by the County including potential settlement.

Chair Foldesi re-opened the meeting at 11:45 a.m.

A motion was made by Commissioner Swanson, seconded by Commissioner Falk and carried unanimously to approve the payout of \$2,726.80 to Arlen Block per a settlement agreement for back-pay.

Upon motion carried, the Board adjourned the regular meeting at 12:00 p.m. The next regular meeting of the Board is scheduled for June 28, 2011 at 10:30 a.m.

Attest:

Date: _____

Ann Marie Miller, Board Clerk
Roseau County, Minnesota

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