

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

October 9, 2012

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, on Tuesday, October 9, 2012.

CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

The meeting was called to order at 8:30 a.m. by Board Chair Russell Walker. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, Mark Foldesi, Glenda Phillipe, and Russell Walker. Commissioner Swanson was excused.

APPROVAL OF AGENDA

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

APPROVE BILLS

A motion was made by Commissioner Falk, seconded by Commissioner Foldesi and carried unanimously to approve the payment of the following bills:

W a r r a n t s A p p r o v e d F o r P a y m e n t 9 / 2 7 / 2 0 1 2

| Vendor Name | Amount |
|---------------------------------------|------------------|
| AFLAC | 2,564.92 |
| HOLTHUSEN CONSTRUCTION INC | 12,410.55 |
| MN DEPT OF FINANCE -TREAS | 3,309.00 |
| NELSON/GRACIA C | 2,901.50 |
| 12 Payments less than 2,000.00 | 6,727.06 |
| Final Total: | 27,913.03 |

W a r r a n t s A p p r o v e d F o r P a y m e n t 1 0 / 0 5 / 2 0 1 2

| Vendor Name | Amount |
|--|------------------|
| CENTURYLINK | 2,817.64 |
| JOHNSON OIL CO INC | 2,690.14 |
| JOHNSON/LAURE A | 3,526.88 |
| MN DEPT OF FINANCE -TREAS | 4,484.50 |
| NW MN SERV COOP-BLUE CROSS BLUE SHIELD | 64,565.00 |
| RIVERFRONT STATION | 5,167.66 |
| 18 Payments less than 2,000.00 | 12,264.49 |
| Final Total: | 95,516.31 |

W a r r a n t s A p p r o v e d O n 1 0 / 0 9 / 2 0 1 2 F o r P a y m e n t 1 0 / 1 2 / 2 0 1 2

| Vendor Name | Amount |
|-------------------------------|---------------|
| CONN TRUCKING-DBA | 3,340.00 |
| D-A LUBRICANT CO. INC. | 7,225.98 |
| DEPT OF NATURAL RESOURCES | 2,648.00 |
| FARMERS UNION OIL CO-LK BRNSN | 3,994.97 |
| FARMERS UNION OIL CO-WARROAD | 7,227.54 |
| GENERAL EQUIP & SUPPLIES INC | 6,872.06 |
| INFORMATION SYSTEMS CORP | 3,205.72 |
| M & R SIGN CO INC | 3,649.53 |
| MAR-KIT LANDFILL | 33,848.70 |
| MN DEPT OF CORRECTIONS STS | 28,917.00 |
| MN DEPT OF TRANSPORTATION | 3,522.19 |
| NINTH JUDICIAL DISTRICT | 6,049.46 |

| | |
|---------------------------------------|-------------------|
| NORTHERN RESOURCES COOPERATIVE | 23,045.31 |
| NORTHLAND TIRE | 2,168.25 |
| NUSS TRUCK & EQUIPMENT | 90,733.13 |
| RDO EQUIPMENT COMPANY | 5,653.69 |
| REGENTS OF U OF MINNESOTA | 16,224.99 |
| ROSEAU CO COOP ASSN | 50,895.73 |
| ROSEAU CO HWY DEPT | 13,186.91 |
| SAFETY COMPLIANCE SERVICES-DBA | 3,350.00 |
| SJOBORG'S INC | 2,668.25 |
| SYNERGY GRAPHICS | 10,224.50 |
| TITAN MACHINERY | 19,731.85 |
| TRUE NORTH STEEL | 5,407.66 |
| UND FORENSIC PATHOLOGY | 2,000.00 |
| VOYAGEURS COMTRONICS CORPORATION | 2,405.82 |
| ZIEGLER INC | 9,811.63 |
| 78 Payments less than 2,000.00 | 27,914.83 |
| Final Total: | 395,923.70 |

DELEGATIONS/BOARD APPOINTMENTS/PUBLIC COMMENTS

Lake of the Woods Water Sustainability Foundation

Foundation Executive Director Todd Sellers, Board Director Joan Richardson and member Richard Sjoborg met with the Board to present an update on current research and international coordination activities and activities planned for the future.

State Auditor's Hoffman, Dale and Swenson

Manager Colleen Hoffman met with the Board to present Roseau County's 2011 Government Audit.

CONSENT AGENDA

A motion to adopt the Consent Agenda was made by Commissioner Falk, seconded by Commissioner Foldesi and carried unanimously. The Board, by adoption of the Consent Agenda, approved the September 25, 2012 Proceedings; approved submission of the DEED Small Cities Grant Pre-proposal; and approved proceeding with the Jail HVAC project.

In addition, a motion to approve a quote from Gartner refrigeration for HVAC retrofits in the jail, in the amount of \$14,800.00, to be paid out of the Capital Expenditure Fund, was made by Commissioner Phillipe, seconded by Commissioner Falk and carried unanimously.

DEPARTMENT REPORTS

County Auditor

By request from Auditor Martha Monsrud, a motion to execute the State of Minnesota Joint Powers Agreement appointing Monsrud as the Deputy Recount Official, effective October 1, 2012 through December 31, 2012, was made by Commissioner Falk, seconded by Commissioner Phillipe and carried unanimously.

By request from Auditor Monsrud, a motion was made by Commissioner Phillipe, seconded by Commissioner Foldesi and carried unanimously to adopt the following resolution:

2012-10-01

RESOLUTION AUTHORIZING PUBLIC AND PRIVATE SALE OF TAX-FORFEITED LANDS

BE IT RESOLVED that all parcels of tax forfeited land listed on the List of Tax-Forfeited Land # 681201 is classified as non-conservation land; that that basic sale price of each parcel on the List of Tax-Forfeited Land that is on file with the County Auditor be approved and authorization for a public and private sale of this land be granted, pursuant to M.S. 282.01; that the sale will be held by the Roseau County Auditor at 2:00 pm, on November 9, 2012, at the Roseau County Courthouse Boardroom, for not less than the basic sale price; and that all sales shall be for full payment on the day of the sale.

BE IT FURTHER RESOLVED that the conditions and terms of the sale shall be described in the list contained herein and approved by the Roseau County Board of Commissioners.

**TERMS FOR THE PUBLIC AND PRIVATE SALE OF TAX FORFEITED LAND
IN ROSEAU COUNTY
November 9, 2012**

PUBLIC SALES: All tax forfeited land is offered at public auction and sold to the highest bidder. The minimum bid acceptable is the basic sale price that is shown on the list of tax forfeited land. The basic sale price is equal to the appraised value or the appraised value plus any extra charges for special assessments levied after forfeiture or for timber value as appraised by the Minnesota Department of Natural Resources.

PRIVATE SALES: Note: Eligible purchasers are landowners whose property adjoins the parcel of tax-forfeited land. All tax forfeited land is offered at private auction are sold to the highest bidder of the adjoining land owners. The minimum bid acceptable is the basic sale price that is shown on the list of tax forfeited land. The basic sale price is equal to the appraised value or the appraised value plus any extra charges for special assessments levied after forfeiture or for timber value as appraised by the Minnesota Department of Natural Resources.

FEES: The following fees will be collected at the time of sale: State assurance account surcharge, 3%; State Deed Fee, \$25; Deed Filing Fee, \$46.00; and State Deed Tax, equal to the greater of \$1.65 or 0.33% of the basic sale price.

PAYMENT TERMS: CASH—FULL PAYMENT AT TIME OF SALE. Payment includes timber value and special assessments levied after forfeiture.

SPECIAL ASSESSMENTS: The balance of any special assessments that were levied before forfeiture and cancelled at forfeiture are not included in the basic sale price may be reassessed by the municipality. These special assessments are shown on the list of tax forfeited land under the column entitled "Assessments Before Forfeiture."

It is the responsibility of the prospective buyer to contact the city/township to determine special assessments that may have been canceled and may be subject to reassessment.

Any special assessments that were levied after forfeiture and certified to the county auditor have been added to the appraised value. Any clean-up costs have also been added to the appraised value. These costs are paid by the purchaser as part of the basic sale price.

CONDITIONS: Sales are subject to the following restrictions on the use of the properties: existing leases, building codes and zoning laws, and easements obtained by any government subdivision or agency thereof for a public purpose. The appraised value does not represent a basis for future taxes. Contact the city or township where the land is located for details of building codes or zoning laws.

All property is sold "as is" and may not conform to local building and zoning ordinances. Roseau County makes no warranty that the land is "buildable". All sales are final, and no refunds or exchanges are permitted. Roseau County is not responsible for location or determining property lines or boundaries. Access to the property is the responsibility of the buyer.

TITLE: PROOF OF OWNERSHIP: The buyer will receive a receipt at the time of the sale. The Department of Revenue will issue a State quitclaim deed after full payment is made. A State deed has the characteristics of a patent from the State of Minnesota.

SETTLEMENT IS FINAL: No warranties as to physical condition of the property have been made by Seller, its Employees or Agents; any warranties of physical condition of the property are void. The Seller, its Employees or Agents, have no further responsibility or liability with respect to the condition or management of the property.

FOR ALL LAND NOT IN A PLATTED SUBDIVISION: There are restrictive covenants required for marginal lands and wetlands including lands in Auditor's Subdivisions (see Minnesota Statutes, Section 103F.535, Subd. 2, and Minnesota Statutes Section 282.018, Subd. 2.)

FORMER OWNERS: Must pay the purchase price or the amount of delinquency, whichever is more, pursuant to Minnesota Statutes Section 282.01, Subd. 7.

IN ORDER TO PROTECT YOUR LEGAL INTERESTS, WE RECOMMEND THAT YOU CONSULT WITH YOUR ATTORNEY ON LEGAL MATTERS.

PARCELS NOT SOLD AT PUBLIC OR PRIVATE AUCTION: Parcels not sold at the sale may be purchased after the sale by paying the basic sale price of the parcel. The basic sale price cannot be changed unless the parcel is re-appraised, republished, and again offered at a later public sale.

County Assessor

Per MN Statute MS 273.061 Subd. 2, the County Board must appoint its Assessor every four years. A motion to re-appoint Allen Heim as the Roseau County Assessor for a four year term beginning January 1, 2013 concluding December 31, 2016, was made by Commissioner Falk, seconded by Commissioner Foldesi and carried unanimously.

Roseau River Watershed Taxable Status

Assessor Heim met with the Board to discuss granting tax exempt status to the Roseau River Watershed District on three parcels in Jadis Township. The RRWD does qualify for tax exempt status though the taxes on the parcels must be current to do so. Because taxes are delinquent on these three parcels, interest and penalties have been

assessed. Clarification is needed on whether or not interest and penalties can be assessed to a Watershed. This matter was tabled until the October 23, 2012 Board meeting in order to obtain that clarification.

Roseau County Trailblazers Taxable Status

Assessor Heim update the Board on the taxable status of the abandoned rail line between Roseau and Warroad now owned by the Roseau County Trailblazers. At the time of the sale, the Department of Revenue was not informed of the “abandoned” status therefore the property is still being valued at an operating property rate. The Trailblazers will qualify for exempt status when the taxes on the property are made current. . Clarification is needed on whether or not a portion of the taxes were paid at the time of the sale and whether or not the trail property should have been re-classified at the time of the sale. This matter was tabled until the October 23, 2012 Board meeting in order to obtain that clarification

County Highway Department

Engineer Ketring met with the Board to discuss the consolidation of the of the State Ditch 20 system with the State Ditch 69 system. The Board, acting as the Drainage Authority for these two systems, can initiate this process on its own motion. A motion was made by Commissioner Foldesi, seconded by Commissioner Falk and carried unanimously to adopt the following resolution:

2012-10-02

WHEREAS, MS Statute 103E.801 states that the Roseau County Board, acting as drainage authority for the SD 69 and SD 20 systems, has the authority to consolidate ditch systems for the purpose of more efficient administration of these systems.

NOW, THEREFORE BE IT RESOLVED that the Roseau County Board has scheduled a hearing to seek public comment on the consolidation of SD 20 into the SD 69 for November 13, 2012, 8:45 a.m. in the Roseau County Commissioners Meeting Room.

Engineer Ketring updated the Board on the options available for the State Ditch 91 system for future discussion.

Environmental Office

Environmental Officer Jeff Pelowski met with the Board to discuss the 2013 Market Price for delivery of solid waste management services in Roseau County. Pelowski noted that the price of \$45.00 per ton is unchanged from 2012. A motion was made by Commissioner Phillippe, seconded by Commissioner Falk and carried unanimously to adopt the following resolution:

2012-10-03



WHEREAS, Minnesota Statutes Chapter 297H.02 requires certain political subdivisions to identify by Resolution a Market Price for solid waste management tax purposes if the political subdivision subsidizes the cost of Municipal Solid Waste (MSW) disposal at a facility, or directly bills for organized collection of MSW on property tax statements; and

WHEREAS, the political subdivision will be liable for any Solid Waste Management Tax (SWMT) based only on the Market Price identified by Resolution; and

WHEREAS, Market Price is defined in State Statute as the “lowest price available in the area”; and

WHEREAS, Roseau County has researched and identified the lowest viable Market Price available in the area; and

THEREFORE BE IT RESOLVED, the County declares the Market Price for all MSW generated in Roseau County to be \$45.00 per ton, based upon the lowest price available in the area (ie. direct haul price to the Mar-Kit Sanitary Landfill), for CY 2013.

COMMISSIONER COMMITTEE REPORTS

Commissioner Falk reported on the following committee meeting(s): Solar and Wind Ordinance Workshop, 9/26/12; AMC Policy Committee meetings, 9/27 – 9/28/12; Roseau River Watershed Board, 10/3/12; Courthouse Department Head meeting, 10/3/12; Operations Committee, 10/3/12.

Commissioner Foldesi reported on the following committee meeting(s): Two Rivers Watershed Board, 10/3/12; DNR Firefighters, Greenbush, 10/4/12.

Commissioner Phillipe reported on the following committee meeting(s): AMC Policy Committee meetings, 9/27 – 9/28/12; Lake of the Woods, Warroad River Watershed and Willow River World Café, 10/2/12; Sheriff’s Committee, 10/3/12; Courthouse Department Head meeting, 10/3/12; Operations Committee, 10/3/12; Community Justice Coordinating Committee, 10/3/12; Lake Township Board, 10/3/12; Warroad City Council, 10/9/12; Warroad School Board, 10/9/12.

Commissioner Swanson reported on the following committee meeting(s): Health Fair Committee, 9/26/12; Roseau City Council, 10/1/12; Roseau Convention and Visitors Bureau, 10/1/12; Roseau Community Education Committee, 10/3/12; Sheriff’s Committee; Courthouse Department Head meeting, 10/3/12; Operations Committee, 10/3/12; Community Justice Coordinating Committee, 10/3/12.

Commissioner Walker reported on the following committee meeting(s): Warroad River Watershed Board, 9/26/12; Lake of the Woods, Warroad River Watershed and Willow River World Café, 10/2/12; Courthouse Department Head meeting, 10/3/12; Operations Committee, 10/3/12.

Upon motion carried, the Board adjourned the regular meeting at 12:15 p.m. The next regular meeting of the Board is scheduled for October 23, 2012 at 8:30 a.m.

Attest:

Date: _____

Jeff Pelowski, Interim County Coordinator
Roseau County, Minnesota

Russell Walker, Chair
Board of County Commissioners
Roseau County, Minnesota