

# PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

December 11, 2012

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, on Tuesday, December 11, 2012.

## CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

The meeting was called to order at 4:00 p.m. by Board Vice-Chair Falk. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, Mark Foldesi, Glenda Phillipe, Jack Swanson and Russell Walker.

## APPROVAL OF AGENDA

Forthwith payments for graveling and beaver removal were added to the payment of bills. A motion to approve the amended agenda was made by Commissioner Swanson, seconded by Commissioner Foldesi and carried unanimously.

## COMMENTS AND ANNOUNCEMENTS

Commissioner Phillipe acknowledged Commissioner Swanson's Association of Minnesota Counties President's Award. Commissioner Swanson shared an article from the Grand Forks Herald on the political relevance of Rural America. Auditor Monsrud distributed the Association of Minnesota Counties year in review letter along with Association dues information.

## APPROVE BILLS

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

### Warrants Approved For Payment 11/29/2012

| Vendor Name                          | Amount     |
|--------------------------------------|------------|
| BADGER CITY                          | 4,446.57   |
| GREENBUSH CITY                       | 6,012.52   |
| NW MN MULTI COUNTY HRA               | 6,314.91   |
| NW REGIONAL DEV COMM                 | 3,463.23   |
| ROSEAU CITY                          | 12,678.78  |
| ROSEAU RIVER WATERSHED DIST          | 100,419.21 |
| SCHOOL DIST 2358                     | 4,317.74   |
| SCHOOL DIST 2683                     | 42,779.71  |
| SCHOOL DIST 447                      | 2,260.34   |
| SCHOOL DIST 676                      | 51,608.61  |
| SCHOOL DIST 682                      | 261,344.49 |
| SCHOOL DIST 690                      | 109,109.54 |
| SPRINGSTEEL ISLAND SANITARY DISTRICT | 2,801.09   |
| TOWN OF BARNETT                      | 7,945.07   |
| TOWN OF BARTO                        | 10,325.49  |
| TOWN OF CEDARBEND                    | 5,883.64   |
| TOWN OF DEER                         | 4,417.99   |
| TOWN OF DEWEY                        | 3,553.08   |
| TOWN OF DIETER                       | 6,724.35   |
| TOWN OF ENSTROM                      | 4,078.53   |
| TOWN OF FALUN                        | 10,952.29  |
| TOWN OF GOLDEN VALLEY                | 3,973.45   |
| TOWN OF GRIMSTAD                     | 7,531.75   |
| TOWN OF HEREIM                       | 6,226.56   |
| TOWN OF HUSS                         | 4,609.30   |

|                                      |                   |
|--------------------------------------|-------------------|
| TOWN OF JADIS                        | 8,891.33          |
| TOWN OF LAKE                         | 19,529.16         |
| TOWN OF LAONA                        | 6,749.48          |
| TOWN OF LIND                         | 3,857.92          |
| TOWN OF MALUNG                       | 5,577.97          |
| TOWN OF MICKINOCK                    | 5,966.97          |
| TOWN OF MOOSE                        | 4,572.57          |
| TOWN OF MORANVILLE                   | 6,059.70          |
| TOWN OF NERESON                      | 3,658.94          |
| TOWN OF PALMVILLE                    | 2,745.24          |
| TOWN OF POLONIA                      | 8,722.95          |
| TOWN OF POPLAR GROVE                 | 2,854.40          |
| TOWN OF REINE                        | 3,007.95          |
| TOWN OF ROSS                         | 4,450.38          |
| TOWN OF SKAGEN                       | 8,398.15          |
| TOWN OF SOLER                        | 3,347.57          |
| TOWN OF SPRUCE                       | 4,651.34          |
| TOWN OF STAFFORD                     | 6,875.06          |
| TOWN OF STOKES                       | 5,318.25          |
| TWO RIVER WATERSHED DISTRICT         | 37,256.99         |
| WARROAD CITY                         | 6,941.83          |
| <b>9 Payments less than 2,000.00</b> | <b>2,675.09</b>   |
| <b>Final Total:</b>                  | <b>845,887.48</b> |

**Warrants Approved For Payment 11/29/2012**

| <b>Vendor Name</b>                    | <b>Amount</b>    |
|---------------------------------------|------------------|
| AFLAC                                 | 3,847.38         |
| US POSTAL SERVICE                     | 20,000.00        |
| <b>11 Payments less than 2,000.00</b> | <b>8,079.42</b>  |
| <b>Final Total:</b>                   | <b>31,926.80</b> |

**Warrants Approved For Payment 12/06/2012**

| <b>Vendor Name</b>                     | <b>Amount</b>     |
|--|-------------------|
| JOHNSON/LAURE A                        | 4,358.88          |
| KNIFE RIVER MATERIALS                  | 71,173.70         |
| NW MN SERV COOP-BLUE CROSS BLUE SHIELD | 68,432.00         |
| SCHOOL DIST 2683                       | 12,750.67         |
| SCHOOL DIST 676                        | 5,169.66          |
| SCHOOL DIST 682                        | 25,385.88         |
| SCHOOL DIST 690                        | 4,333.19          |
| THOMPSON CONSTRUCTION                  | 2,360.00          |
| UNITED HEALTHCARE INSURANCE COMPANY    | 2,041.13          |
| <b>16 Payments less than 2,000.00</b>  | <b>10,496.47</b>  |
| <b>Final Total:</b>                    | <b>206,501.58</b> |

**Warrants Approved On 12/11/2012 For Payment 12/14/2012**

| <b>Vendor Name</b>                    | <b>Amount</b>     |
|---------------------------------------|-------------------|
| FARMERS UNION OIL CO-WARROAD          | 8,131.98          |
| GARTNER REFRIGERATION CO              | 9,307.70          |
| H & L MESABI INC                      | 4,200.10          |
| LIFECARE MEDICAL CENTER               | 2,667.05          |
| MAR-KIT LANDFILL                      | 33,597.60         |
| MSOP-MN SEX OFFENDER PROGRAM-D 462    | 3,031.80          |
| NORTH AMERICAN SALT COMPANY           | 52,942.54         |
| NORTHERN RESOURCES COOPERATIVE        | 24,947.63         |
| R & Q CONTRACTING INC                 | 24,673.00         |
| ROSEAU CO COOP ASSN                   | 17,942.15         |
| ROSEAU CO HWY DEPT                    | 39,434.80         |
| ROSEAU CO TREASURER                   | 5,687.69          |
| ROSEAU DIESEL SERVICE INC             | 5,359.64          |
| SJOBERG'S INC                         | 2,668.25          |
| TITAN MACHINERY                       | 2,064.88          |
| TOWMASTER INC                         | 87,776.04         |
| ZIEGLER INC                           | 9,166.80          |
| <b>84 Payments less than 2,000.00</b> | <b>27,906.15</b>  |
| <b>Final Total:</b>                   | <b>361,505.80</b> |

The Board approved forthwith payments to Sam and Lola Grafstrom in the amount of \$10,722.60 for 2012 gravel; Lester and Verna Grafstrom in the amount of \$2,173.50 for 2012 gravel; Deloris Lorenson in the amount of \$3,528.00 for 2012 gravel and Layton Oslund in the amount of \$8,135.10 for 2012 gravel; O'Neil Lund in the amount of \$675.00 for beaver removal on Ditch 91; and to D.W. Mechanical in the amount of \$900.00 for beaver removal on Ditch 91.

## **DELEGATIONS/BOARD APPOINTMENTS/PUBLIC COMMENTS**

There were none.

## **CONSENT AGENDA**

A motion to adopt the Consent Agenda was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously. The Board by adoption of its Consent Agenda approved the November 27, 2012 Board Proceedings; approved the Roseau Lake of the Woods Sportsman's Club Off Highway Vehicle Trails Assistance Program Grant Funding Application; approved the Roseau/Lake of the Woods Sportsman's Club FY 2013 ATV GIA Maintenance and Grooming Grant Agreement; approved the Roseau County Trailblazers FY 2013 Snowmobile Maintenance and Grooming Grant Agreement for Pelan Trail; and, approved the Northstar ATV FY 2012 GIA Reimbursement Request and Northstar ATV FY 2013 Grant in Aid Request.

## **DEPARTMENT REPORTS**

### County Auditor

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

2012-12-02

WHEREAS, the Roseau County Board of Commissioners has reviewed and considered budgets for the ditch systems located in Roseau County; and

WHEREAS, the Roseau County Board of Commissioners deems it necessary that the following amounts be levied on ditch systems as stated below;

NOW, THEREFORE, BE IT RESOLVED that the County Auditor is directed to spread one-year levies on the following ditches for repairs and maintenance for the year 2013:

| <u>Ditch</u>        | <u>Year 2013 Levy Percentage<br/>of Assessed Benefits</u> |
|---------------------|---|
| County Ditch No. 5  | 25%   |
| County Ditch No. 6  | 20%   |
| County Ditch No. 7  | 25%   |
| County Ditch No. 9  | 25%   |
| County Ditch No. 10 | 25%   |
| County Ditch No. 11 | 15%   |
| County Ditch No. 13 | 25%   |
| County Ditch No. 17 | 20%   |
| County Ditch No. 18 | 25%   |

|                       |     |
|-----------------------|-----|
| Judicial Ditch No. 19 | 20% |
| County Ditch No. 20   | 20% |
| County Ditch No. 21   | 25% |
| Judicial Ditch No. 22 | -0- |
| County Ditch No. 23   | 25% |
| County Ditch No. 24   | -0- |
| County Ditch No. 25   | -0- |
| County Ditch No. 26   | 25% |
| Judicial Ditch No. 33 | 20% |
| Judicial Ditch No. 61 | 15% |
| Judicial Ditch No. 62 | -0- |
| State Ditch No. 63    | 15% |
| State Ditch No. 69    | 25% |
| State Ditch No. 72    | 20% |
| State Ditch No. 87    | 10% |
| State Ditch No. 90    | 20% |
| State Ditch No. 91    | 20% |
| State Ditch No. 95    | 10% |
| State Ditch No. 20    | 25% |

BE IT FURTHER RESOLVED that the 2013 ditch budgets are hereby approved and are on file in the office of the Roseau County Auditor.

A motion to authorize Vice-Chair Falk to approve four subordination agreements was made by Commissioner Swanson, seconded by Commissioner Phillippe and carried unanimously.

County Environmental Office

Environmental Officer Pelowski met with the Board to request rescinding Market Price Resolution #2012-10-03 due to a change in the 2013 Market Price for delivery of solid waste management services in Roseau County. A motion was made by Commissioner Swanson, seconded by Commissioner Phillippe and carried unanimously to rescind resolution #2012-10-03 and adopt the following resolution:

2012-12-01

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 \$51.60 per ton, based upon the lowest price available in the area, for CY 2013.

**COUNTY SHERIFF**

Sheriff Gust met with the Board to request approval to renew 2012-2013 Bureau of Criminal Apprehension Joint Powers Agreement to participate in the Minnesota Internet Crimes Against Children Taskforce. A motion to approve the Minnesota Internet Crimes Against Children Task Force, Multi-Agency Law Enforcement Joint Powers Agreement was made by Commissioner Foldesi, seconded by Commissioner Walker and carried unanimously.

A motion to approve a 36 month Jail Vending Services Contract with Turnkey Corrections effective February 1, 2013 was made by Commissioner Foldesi, seconded by Commissioner Swanson and carried unanimously.

**COMMITTEE REPORTS**

Environmental Jeff Pelowski, on behalf of the Solid Waste Planning Committee, recommended the Board approve Ordinance #31 which will establish the 2013 tip fee/service fee schedule for Roseau County. Pelowski noted there are no changes for 2013. A motion was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously to adopt the following resolution:

2012-12-03

ORDINANCE NO. 31

AN ORDINANCE OF THE COUNTY OF ROSEAU, MINNESOTA, ENTITLED “AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR SOLID WASTE MANAGEMENT SERVICES”.

The County Board of Roseau County ordains:

That Ordinance No. 31 of Roseau County, Minnesota, be amended as follows:

That the County of Roseau, State of Minnesota, has established solid waste management facilities on property located in Enstrom Township, Roseau County, Minnesota, and that anyone using said facilities shall pay to the Roseau County Treasurer the following fees, plus all applicable Minnesota sales tax and surcharges:

- A. Residential Haulers : \$ 37.50 per ton
- B. Commercial Haulers : \$ 37.50 per ton
- C. Demolition-Debris Waste : \$ 7.50 per cubic yard
- D. Out-of-County Waste : \$ 75.00 per ton
- E. Pickup Trucks : \$ 11.00 per load
- F. Automobiles : \$ 5.00 per load
- G. Car Tires : \$ 3.00 per tire
- H. > 20” Tires : \$ 5.00 per tire
- I. Tractor Tires : \$ 10.00 per tire
- J. Appliances/CRTs : \$ 5.00 per unit

In addition to the above user fees, each resident and commercial entity residing in the County shall pay an annual solid waste assessment according to the following service fee schedule:

|  |   |             |
|--|---|-------------|
| A. Residential Fee                               | : | \$ 60.00    |
| B. Seasonal Recreation Fee (County Resident)     | : | \$ 0.00     |
| C. Seasonal Recreation Fee (Non-County Resident) | : | \$ 33.00    |
| D. Category #1 Commercial                        | : | \$ 75.00    |
| E. Category #2 Commercial                        | : | \$ 125.00   |
| F. Category #3 Commercial                        | : | \$ 250.00   |
| G. Category #4 Commercial                        | : | \$ 375.00   |
| H. Category #5 Commercial                        | : | \$ 550.00   |
| I. Category #6 Commercial                        | : | \$ 700.00   |
| J. Category #7 Commercial                        | : | \$ 925.00   |
| K. Category #8 Commercial                        | : | \$1,250.00  |
| L. Category #9 Commercial                        | : | \$1,650.00  |
| M. Category #10 Commercial                       | : | \$2,100.00  |
| N. Category #11 Commercial                       | : | \$2,500.00  |
| O. Category #12 Commercial                       | : | \$12,500.00 |

That if an entity fails or neglects to pay said charges or fees, including all applicable Minnesota sales tax and surcharges, the Board of Commissioners can certify the same to real estate owned by the entity, and the same shall be collected with other taxes. In the case of any village or governmental unit failing to pay the fees, including the applicable Minnesota sales tax and surcharges, the Board of County Commissioners can certify said amount to the County Auditor who shall levy a sufficient amount on all property in said governmental unit to pay said amount.

This ordinance shall be in full force and effect from January 1, 2009, through December 31, 2013, following its passage and publication according to law.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ROSEAU COUNTY THE 14<sup>TH</sup> DAY OF OCTOBER, 2008; EXTENDED BY COUNTY BOARD RESOLUTION ON THE 26<sup>TH</sup> DAY OF OCTOBER, 2010; BY COUNTY BOARD RESOLUTION THIS 25<sup>TH</sup> DAY OF OCTOBER, 2011; AND, BY COUNTY BOARD RESOLUTION THIS 11<sup>TH</sup> DAY OF DECEMBER, 2012.

## **COUNTY BOARD ITEMS**

### County Coordinator/Environmental Services Director Position

A motion to remove Interim from Coordinator Pelowski's title was made by Commissioner Phillipe, seconded by Commissioner Swanson and carried by a four to one vote with Commissioners, Foldesi, Phillipe, Swanson and Walker in favor and Commissioner Falk opposed.

### Roseau River Watershed Board Appointment

The Board reviewed and discussed two applications submitted to fill the remaining term of Todd Miller who has resigned from the RRWD to fulfill his duties as Roseau County Commissioner in District 4. A motion to appoint Floyd Haugen to fill the remaining term of Todd Miller on the Roseau River Watershed Board was made by Commissioner Phillipe, seconded by Commissioner Foldesi and carried by a three to two vote with Commissioners, Foldesi, Phillipe and Walker in favor and Commissioner Swanson and Falk opposed.

## COMMISSIONER COMMITTEE REPORTS

Commissioner Falk reported on the following committee meeting(s): Solid Waste Planning Committee, 11/28/12; Rural Business Enterprise Grant committee, 11/29/12; Association of Minnesota Counties 12/2 – 12/4/12; Roseau River Watershed District Board, 12/5/12; Sheriff Committee, 12/6/12; Courthouse Department Head meeting, 12/6/12; Operations Committee, 12/6/12; Transportation Advisory Committee, 12/10/12; and Ditch meeting in Greenbush, 12/11/12.

Commissioner Foldesi reported on the following committee meeting(s): Two Rivers Watershed Board, 12/5/12; Joint Ditch meeting, 12/11/12 and Greenbush City Council, 12/10/12.

Commissioner Phillippe reported on the following committee meeting(s): Warroad Community Park meeting, 11/28/12; Rural Business Enterprise Grant Committee, 11/29/12; Association of Minnesota Counties 12/2 – 12/4/12; Sheriff Committee, 12/6/12; Courthouse Department Head meeting, 12/6/12; Operations Committee, 12/6/12; Warroad City Council, 12/10/12 and Warroad School Board, 12/10/12.

Commissioner Swanson reported on the following committee meeting(s): Solid Waste Planning Committee, 11/28/12; Northwest Regional Radio Board, 11/30/12; Association of Minnesota Counties Board of Director's Meeting, 12/2/12; AMC Ag & Rural Development Task Force, 12/2/12; AMC Annual Conference Workshops 12/3 – 12/4/12; Northern Counties Land Use Coordinating Board, 12/4/12; Greater Minnesota Advisory Panel 12/4/12; Roseau River Watershed Board, 12/5/12; Sheriff Committee, 12/6/12; Courthouse Department Head meeting, 12/6/12; Operations Committee, 12/6/12 and Community Justice Coordinating Committee, 12/10/12.

Commissioner Walker reported on the following committee meeting(s): Sheriff Committee, 12/6/12; Courthouse Department Head meeting, 12/6/12; and Operations Committee, 12/6/12.

## **UNFINISHED BUSINESS**

Upon motion carried, the Board adjourned the regular meeting at 6:00 p.m. The next regular meeting of the Board is scheduled for December 26, 2012 at 9:00 a.m.

Attest:

Date: \_\_\_\_\_

\_\_\_\_\_  
Jeff Pelowski, Interim County Coordinator  
Roseau County, Minnesota

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