

KITTSON COUNTY AND ROSEAU COUNTY JOINT BOARD PROCEEDINGS

November 30, 2010

A Special Meeting was held on Tuesday, November 30, 2010 at 1:00 PM in the Kittson County Courthouse with the governing bodies of the County of Roseau and the County of Kittson, as the Joint Ditch Authorities for State Ditch #72 and State Ditch #50, to meet in both open and closed session to obtain advice from counsel and discuss a potential resolution of the litigation and the administrative proceedings against the counties. The following members were present; Roseau County Commissioners Mark Foldesi, Alan Johnston, Jack Swanson, Russell Walker and Roger Falk; Kittson County Commissioners Joe Bouvette, Betty Younggren, John Anderson and Leon Olson, absent; Commissioner Craig Spilde. Also present were Roseau County Engineer, Brain Ketring, Kittson County Engineer, Kelly Bengtson, Two Rivers Watershed Board Member Richard Novacek, Attorneys Roger Malm, Paul Reuvers and Scott Anderson and Auditor-Treasurer Marilyn Gustafson.

CALL TO ORDER

The meeting was called to order by County Board Chair Joe Bouvette.

Attorney Scott Anderson reviewed the procedure that would be followed based on the order signed by the Judge Dixon for the joint meeting.

CLOSED SESSION

A motion was made by Commissioner Jack Swanson, seconded by Commissioner Alan Johnston and unanimously carried to close the meeting to the public at 1:22 PM pursuant to Minnesota Statute 13D.05, Subd. 3, paragraph (b) permitted by attorney-client privilege.

Richard Novacek left the meeting.

At 2:40 PM Commissioner Mark Foldesi was excused.

A motion was made by Commissioner Jack Swanson, seconded by Commissioner John Anderson and unanimously carried to reopen the meeting to the public at 2:51 PM.

Richard Novacek returned to the meeting.

APPROVAL OF SETTLEMENT

A motion was made by Commissioner Betty Younggren, seconded by Commissioner John Anderson and unanimously carried that Kittson County, individually and as a member of the Joint Drainage Authority, approve the settlement of the litigation with the MCEA and the administrative proceedings with the Department of Natural Resources and the United States Army Corps of Engineers, on the terms specified by Counsel in the closed session, and authorize the Chair of the Kittson County Board to execute, on behalf of the County, any and all documents necessary to effectuate the settlement.

A motion was made by Commissioner Russell Walker, seconded by Roger Falk and unanimously carried that Roseau County, individually and as a member of the Joint Drainage Authority, approve the settlement of the litigation with the MCEA, on the terms specified by Counsel in the closed session and authorize the Chair of the Roseau County

Board to execute, on behalf of the County any and all documents necessary to effectuate the settlement.

Upon motion carried, the Joint Board Meeting adjourned at 4:00 pm. The next regular meeting of the Roseau County Board is December 1, 2010 at 4:00 pm. .

Attest:

Date: _____

Teresa Klein, Board Clerk
Roseau County, Minnesota

Alan Johnston, Chair
Board of County Commissioners
Roseau County, Minnesota

DRAFT