

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

July 28, 2015

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, July 28, 2015 at 9:00 a.m.

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Board Chair Jack Swanson. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, Mark Foldesi, Todd Miller, Glenda Phillipe, and Jack Swanson.

APPROVAL OF AGENDA

A request to advertise for a Social Worker was added to the Consent Agenda and consideration of the Solid Waste Management Plan Resolution was added to Department Reports. A motion to approve the amended Agenda was made by Commissioner Miller, seconded by Commissioner Phillipe and carried unanimously.

COMMENTS AND ANNOUNCEMENTS

Coordinator Pelowski informed the Board that the County Pay Equity Compliance Report has been approved; reminded the Board of the Active Shooter Training scheduled for July 28th; and, reminded the Board of the Roseau East Diversion Flood Control Project Ribbon Cutting Ceremony scheduled for August 18, 2015. Commissioner Miller reminded the Board that the Administrative Law Judge will return to Roseau on August 5, 2015, to hear public comment on the Minnesota Power Line Project Environmental Impact Statement.

APPROVAL OF BILLS

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

Warrants Approved For Payment 7/16/2015

| <u>Vendor Name</u> | <u>Amount</u> |
|--------------------------------|-------------------|
| ANGLE WOOD BUILDERS | 10,415.00 |
| INGALLS/TERRY | 11,750.00 |
| MORRIS SEALCOAT & TRUCKING INC | 275,153.00 |
| NW CONCRETE PRODUCTS INC | 29,037.03 |
| RIVERFRONT STATION | 3,547.13 |
| ROSEAU CITY | 10,271.30 |
| STOSKOPF INC | 9,038.06 |
| 11 Payments less than 2,000.00 | 5,616.71 |
| Final Total: | 354,828.23 |

Warrants Approved For Payment 7/23/2015

| <u>Vendor Name</u> | <u>Amount</u> |
|--------------------------------|-------------------|
| AFLAC | 4,020.24 |
| MORRIS SEALCOAT & TRUCKING INC | 421,615.18 |
| 9 Payments less than 2,000.00 | 3,821.46 |
| Final Total: | 429,456.88 |

Warrants Approved On 7/28/2015 For Payment 7/31/2015

| <u>Vendor Name</u> | <u>Amount</u> |
|--------------------------------|----------------------|
| BERGSTROM ELECTRIC INC | 2,019.00 |
| CDW GOVERNMENT INC | 4,592.49 |
| DELL MARKETING LP | 5,999.99 |
| JOHNSON OIL CO INC | 10,028.02 |
| NINTH JUDICIAL DISTRICT | 20,500.00 |
| NORTHERN RESOURCES COOPERATIVE | 2,281.95 |
| UND FORENSIC PATHOLOGY | 2,587.00 |
| 35 Payments less than 2,000.00 | 10,848.62 |
| Final Total: | 58,857.07 |

In addition, the Board approved a forthwith payment to: Terry Ingalls, in the amount of \$2,625.00 for roadside brushing.

CONSENT AGENDA

Commissioner Miller requested that the Roseau River Watershed-Related Petition item be moved from the Consent Agenda to County Board Items. A motion to approve the amended Consent Agenda was made by Commissioner Miller, seconded by Commissioner Falk and carried unanimously. The Board, by adoption of its Consent Agenda, approved the July 14, 2015 Board Proceedings; approved a Minnesota Lawful Gambling Permit for the Warroad Area Chapter of Whitetails Unlimited for an event at Springsteel Resort on August 29, 2015; and, approved advertising for a Social Worker hire.

DEPARTMENT REPORTS

HIGHWAY DEPARTMENT

Engineer Ketring met with the Board to request approval of an aggregate surfacing contract; to request approval of a FEMA DR-4182 contract; to request approval of a Speed Study Resolution for CSAH 46; and, to request approval to hire an Assistant Engineer-Maintenance.

A motion to enter into contract with Warroad Ready Mix, in the amount of \$45,705.60 for aggregate surfacing class V, was made by Commissioner Phillipe, seconded by Commissioner Miller and carried unanimously.

A motion to enter into contract with R & Q Trucking, Inc., in the amount of \$19,145.50, for excavation, clay fill and aggregate surfacing on FEMA DR-4182, PW #00130 on CR 147, was made by Commissioner Miller, seconded by Commissioner Phillipe and carried unanimously.

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

2015-07-04

AUTHORIZATION FOR MNDOT TO CONDUCT A SPEED STUDY ON DESIGNATED ROADS

WHEREAS, the Roseau County Highway Department is requesting a speed limit study on a section of Roseau County State Aid Highway 46, from TH No. 11 to CSAH No. 35; and

WHEREAS, the Roseau County Highway Department believes it would be worthwhile to have a speed study conducted; and

WHEREAS, the Minnesota Department of Transportation will conduct a speed study at the request of Roseau County; and

NOW THEREFORE, be it resolved that the Roseau County Board of Commissioners does hereby authorize the County Highway Engineer to request the Minnesota Department of Transportation to conduct a speed study on the referenced section of County State Aid Highway 46 to determine a safe and appropriate speed limit.

Assistant Engineer-Maintenance Hire

Commissioner Miller requested he be heard with regard to accusations that he knew candidate David Ohnstad prior to the interview process. Commissioner Miller wanted it known, for the record, that he did not know Mr. Ohnstad until he met him on the day of the interview.

Engineer Ketring informed the Board that it was the recommendation of the five member hiring committee to offer candidate Ryan Murray the Assistant Engineer-Maintenance position. Chair Swanson called for a motion to support this recommendation. After calling for a motion three times, no motion was offered.

A motion to hire David Ohnstad as the Assistant Engineer-Maintenance, was made by Commissioner Miller, and seconded by Commissioner Foldesi.

Commissioner Swanson asked for further discussion.

Commissioner Falk questioned whether or not the Board had the authority to approve a hire that was not recommended by the Department Head, per the Roseau County Hiring Policy. Commissioner Miller stated that the current Policy does not address the situation where the Board does not support the hiring recommendation brought forward.

Coordinator Pelowski addressed the Board and stated that, as the County's Human Resource Director, he would strongly recommend that the Board follow the Hiring Policy, which would result in the Department Head re-establishing a new hiring committee to work through the process.

Commissioner Swanson stated that the best way to manage this hire would be to reject this motion and begin the process again.

Commissioner Swanson called for the vote on the motion. Commissioners Foldesi, Miller and Phillipe voted in favor and Commissioners Falk and Swanson were opposed. The motion to hire David Ohnstad as the Assistant Engineer-Maintenance was passed.

A motion to set the Assistant Engineer-Maintenance pay grade at 10A with a start date of August 17, 2015, was made by Commissioner Miller, seconded by Commissioner Foldesi and carried by a 3-2 vote with Commissioners Foldesi, Miller and Phillipe in favor and Commissioners Falk and Swanson opposed.

COUNTY BOARD ITEMS

Solid Waste Management Plan Resolution

Environmental Services Director Jeff Pelowski presented the Board with the Solid Waste Management Plan Resolution for their approval. Pelowski noted that the Plan was posted according to Minnesota Statutes and added that there was no public comment. A motion was made by Commissioner Falk, seconded by Commissioner Miller and carried unanimously to adopt the following Resolution:

2015-07-03

WHEREAS, the State of Minnesota requires Counties to develop and adopt a Solid Waste Plan in accordance with Minnesota Statutes 115A.46; 115A.47; 115A.551, subd. 6-7; 115A.552; 115A.557, subd. 2-3; 115A.63; 115A.84; 115A.914; 115A.96, subd. 6-7; 115A.917; 115A.97; Minnesota Rules 9215; and any other applicable Statutes and Rules; and

WHEREAS, the State of Minnesota requires said Solid Waste Plans to be reviewed and/or modified periodically. Said timeline for Solid Waste Plan update is every 10 calendar years;

WHEREAS, Roseau County recognizes the need and responsibility to plan for and practice environmentally sound methods for managing its solid waste streams; and

WHEREAS, Roseau County recognizes the need to plan for and implement various strategies, programs, or facilities, to promote the proper management and disposal of solid waste generated within the County. The County will encourage reduction, reuse, recycling, composting, and/or advanced processing of solid waste with technologies available based upon the type of solid waste material generated and the capability of the integrated solid waste management system in place; and

WHEREAS, the draft 2015 Roseau County Solid Waste Plan does describe the integrated solid waste management system currently in place to meet the needs of the County's citizens and the requirements of the State of Minnesota; and

WHEREAS, the State of Minnesota has placed on public notice that draft of the 2015 Roseau County Solid Waste Plan in accordance with the requirements for publication, notice and comment period; and

WHEREAS, upon completion of the public comment period. No comments were received in objection to the adoption of the draft 2015 Roseau County Solid Waste Plan.

THEREFORE BE IT RESOLVED, that the Roseau County Board of Commissioners hereby adopts the 2015 Roseau County Solid Waste Plan; and

THEREFORE BE IT RESOLVED, that the Roseau County Board of Commissioners hereby submit the 2015 Roseau County Solid Waste Plan to the Minnesota Pollution Control Agency for final approval pursuant to applicable Minnesota Statutes and Rules.

Roseau River Watershed-Related Petition

At the June 9, 2015 Board Meeting, the County Board was presented with a "Petition for Consideration" signed by four County residents. Assistant County Attorney Mike Grover was consulted on this matter and responded with a memorandum which stated that the Board could disregard the petition, referencing Minnesota Administrative Rule 8410.0010. Commissioner Miller requested the Board consider sending the petition, along with all supporting

documentation, to the Department of Administration to review the allegations presented by the petitioners.

Discussion continued with Commissioner Foldesi noting he had constituents questioning him about the petition and requesting answers from the County Board. Commissioner Falk commented that the Board should follow the recommendation of the Assistant County Attorney. Commissioner Phillippe asked if Roseau County sends documentation to the State, couldn't the Roseau River Watershed (RRWD) send documentation as well.

RRWD Administrator Tracey Halstensgard and RRWD Board Member Leroy Carrier were in attendance. Administrator Halstensgard noted that the RRWD is not opposed to an investigation but did request a copy of whatever the County Board sends to the Department of Administration for review.

Commissioner Swanson inquired as to whether or not sending this "Petition for Consideration" would imply Board Support of the petition and added that his preference would be for the petitioners to explore the legal options that may be available to them, and that going through the County Board was not appropriate as the Board is not a "tribunal". Commissioner Swanson stated that he wanted it made "perfectly clear" that he is not making any allegations against the RRWD.

Mr. Floyd Haugen, one author of the petition, addressed the Board to review the "Petition for Consideration."

A motion to support sending the "Petition for Consideration" and supporting documentation to the Department of Administration, was made by Commissioner Miller, seconded by Commissioner Foldesi and carried by a 3-2 vote with Commissioner Foldesi, Miller and Phillippe in favor and Commissioners Falk and Swanson opposed.

Commissioner Committee Reports

Commissioner Falk reported on the following committee(s): Meeting with MnDNR Commissioner Landwehr, 7/21/15; Social Services Board, 7/21/15; Highway Committee, 7/21/15; MnDOT/Paul Bunyan Transit meeting, 7/22/15.

Commissioner Foldesi reported on the following committee(s): Quin County Community Advisory Board, 7/20/15; Meeting with MnDNR Commissioner Landwehr, 7/21/15; Social Services Board, 7/21/15; Highway Committee, 7/21/15.

Commissioner Miller reported on the following committee(s): Beltrami Island State Forest Project Team meeting, 7/16/15; Meeting with MnDNR Area Hydrologist regarding Swift Ditch, 7/17/15; Warroad Shop meeting, 7/17/15; Minnesota Rural Counties Caucus, 7/18/15; Minnesota Power Environmental Impact Statement public meeting, 7/19/15; Meeting with MnDNR Commissioner Landwehr, 7/21/15; Social Services Board, 7/21/15; Highway Committee, 7/21/15; Minnesota Rural Counties Caucus, 7/24/15; Joint Powers Natural Resource Board, 7/27/15.

Commissioner Phillippe reported on the following committee(s): MnDOT/Paul Bunyan Transit meeting, 7/15/15; Lake Township Board, 7/15/15; Roseau County Committee on Aging, 7/20/15; Meeting with MnDNR Commissioner Landwehr, 7/21/15; Social Services Board, 7/21/15; Highway Committee, 7/21/15; MnDOT/Paul Bunyan Transit, 7/22/15; Roseau County Fair Booth, 7/22/15; Warroad City Council, 7/27/15.

Commissioner Swanson reported on the following committee(s): Northwest Minnesota Housing and Redevelopment Authority, 7/15/15; Association of Minnesota Counties Conference Planning Committee, 7/16/15; Association of Minnesota Counties Governance Committee, 7/17/15; Roseau County Committee on Aging, 7/20/15; Social Services Board, 7/21/15; Meeting with MnDNR Commissioner Landwehr, 7/21/15; Roseau County Affordable Housing Fund Committee, 7/21/15; Social Services Board, 7/21/15; Highway Committee, 7/21/15; Northwest Minnesota Emergency Communications Board, 7/22/15; Roseau County Fair Booth, 7/24/15.

Upon motion carried, the Board adjourned the Regular Meeting at 10:45 a.m. The next Regular Meeting of the Board is scheduled for August 11, 2015 at 9:00 a.m.

Attest:

Date: _____

Jeff Pelowski, County Coordinator
Roseau County, Minnesota

Jack Swanson, Board Chair
Board of County Commissioners
Roseau County, Minnesota