
REGULAR BOARD MEETING AGENDA

Notice is hereby given that the Board of Commissioners of Roseau County will meet in session on November 28, 2017, at 9:00 a.m., in the Roseau County Courthouse, Room 110, Roseau, MN, at which time the following matters will come before the Board:

9:00 Call to Order

1. Presentation of Colors
2. Approve Agenda
3. Comments and Announcements
4. Approve Bills

9:05 Delegations/Board Appointments/Public Comments*

9:10 Consent Agenda

1. November 14, 2017 Board Proceedings

9:15 Department Reports

1. Auditor
 - a. Tax-Forfeited Land Sale

9:25 Committee Reports

9:30 County Board Items

1. Commissioner Committee Reports

10:15 Unfinished Business

10:15 Adjourn

***Limited to five minutes**

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

November 14, 2017

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, November 14, 2017.

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Board Chair Mark Foldesi. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, Mark Foldesi, Glenda Phillippe, Jack Swanson and Russell Walker. Others present were Dave Anderson, Myles Hogenson, Loren Horner, Todd Miller, Ray Horner, Randy Horner, Gerald Krahn, Martie Monsrud, Scott Johnson, Brian Ketring, Jeff Pelowski, and Ann Marie Miller.

APPROVAL OF AGENDA

Approval of a Minnesota Lawful Gambling permit was added to the Consent Agenda. A motion to approve the Agenda was made by Commissioner Falk, seconded by Commissioner Swanson and carried unanimously.

COMMENTS AND ANNOUNCEMENTS

Coordinator Pelowski informed the Board that, due to the Thanksgiving Holiday, the November 28th Board Packet will be sent out on Wednesday, November 22nd. In addition, Pelowski informed the Board that a DNR 10-year *Lands and Minerals Strategic Plan* is on file in the Coordinator's Office for review. Commissioner Swanson reminded the Board of the Roseau Electric Coop and Northwest Community Action Broadband meeting scheduled for this evening at the Roseau City Center; and, Commissioner Phillippe reminded the Board of the 911 meeting scheduled for 1:00 p.m. today.

DELEGATIONS/BOARD APPOINTMENTS/PUBLIC COMMENTS

Roseau/Lake of the Woods Sportsman's Club and Northstar Trail Alliance (Club/Alliance)

Myles Hogenson, Club/Alliance Administrator, met with the Board to request approval of their 2018 Grant-In-Aid Application. A motion to approve the Department of Natural Resources Off-Highway Grant Funding Application for the Club/Alliance, along with the Resolution of Support (2017-11-01), was made by Commissioner Walker, seconded by Commissioner Falk and carried unanimously.

Mr. Hogenson also requested the Board consider sharing in the purchase of brush removal equipment in order to improve maintenance of their trail system, noting that Federal grants are available for assisting in purchasing this type of equipment. In addition, Hogenson stated that the Club/Alliance would like to convert some trails to multi-purpose trails to promote public usage.

Minnesota Lawful Gambling Permit

Mr. Hogenson requested the Board approve a Minnesota Lawful Gambling Permit. A motion to approve a Minnesota Lawful Gambling Permit for the Roseau/LOW Sportsman's Club and Northstar Trail Alliance, for an event to be held at the Warroad Eagles Club on December 31, 2017, was made by Commissioner Phillippe, seconded by Commissioner Swanson and carried unanimously.

PUBLIC HEARING - PROPOSED ROSEAU COUNTY BUFFER ORDINANCE

A motion to open the Public Hearing was made by Commissioner Phillippe, seconded by Commissioner Falk and carried unanimously. Coordinator Pelowski explained the process the State requires each County to follow in order to meet statutory requirements for adopting a Buffer Ordinance. Pelowski added that there were no written comments received during the public comment period. Chair Foldesi asked for oral comments. Loren Horner addressed the Board with concerns on how the Buffer Program would be administered. Pelowski explained that this Ordinance only puts the legal framework in place for the County to act as the enforcement agency; and, if the County does not adopt an Ordinance, the enforcement agency would be the Board of Water and Soil Resources, (ie. State of MN).

Mr. Horner also expressed concern over issues of reimbursement for installing buffer strips on private lands, and compensation for the loss of productive land. It was explained that the Buffer Ordinance only addresses enforcement. Program administration issues, such as landowner cost-share, use of County/SWCD funding received from the State, potential easements, land value re-assessment, etc., would be addressed prior to the program compliance deadline of 11/1/18. There were no additional comments. A motion to close the Public Hearing was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously.

A motion was made by Commissioner Swanson, seconded by Commissioner Walker and carried unanimously to adopt the Roseau County Buffer Ordinance No. 40 as follows:

ROSEAU COUNTY BUFFER ORDINANCE

1.0 STATUTORY AUTHORIZATION AND POLICY

1.1 **Statutory authorization.** This buffer ordinance is adopted pursuant to the authorization and policies contained in Minn. Stat. §103F.48, the Buffer Law, and the County planning and zoning enabling legislation in Minn. Stat. Chapter 394.

1.2 **Purpose and intent.** It is the purpose and intent of the County to:

(a) Provide for riparian vegetated buffers and water quality practices to achieve the following purposes:

- (1) Protect State water resources from erosion and runoff pollution;
- (2) Stabilize soils, shores and banks; and
- (3) Protect or provide riparian corridors.

(b) Coordinate the implementation and enforcement of the water resources riparian protection requirements of Minn. Stat. §103F.48 with the shoreland management rules and ordinances adopted under the authority of Minn. Stat. §103F.201 to 103F.227, and the management of public drainage systems established under Minn. Stat. Chapter 103E, where applicable; and

(c) Provide efficient and effective direction to landowners and protection of surface water quality and related land resources.

2.0 DEFINITIONS AND GENERAL PROVISIONS

2.1 **Definitions.** Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have in common usage and to give this ordinance it's most reasonable application. For the purpose of this ordinance,

the words “must” and “shall” are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.

2.1.1 “**APO**” means the administrative penalty order issued pursuant to Minn. Stat. §103F.48, subd.7, and Minn. Stat. §103B.101, subd.12a.

2.1.2 “**Buffer**” has the meaning provided in Minn. Stat. §103F.48, subd.1(c).

2.1.3 “**Buffer protection map**” has the meaning provided in Minn. Stat. §103F.48, subd.1(d), and which is available on the MN Department of Natural Resources website.

2.1.4 “**BWSR**” means the Board of Water and Soil Resources.

2.1.5 “**Cultivation farming**” means farming practices that disturb root or soil structure or that impair the viability of perennial vegetation due to cutting or harvesting near the soil surface.

2.1.6 “**Drainage authority**” has the meaning provided in Minn. Stat. §103E.005, subd.9.

2.1.7 “**Landowner**” means the holder of the fee title, the holder’s agents or assignees, any lessee, licensee, or operator of the real property, and includes all land occupiers as defined by Minn. Stat. §103F.401, subd.7, or any other party conducting farming activities on or exercising control over the real property.

2.1.8 “**Parcel**” means a unit of real property that has been given a tax identification number maintained by the County.

2.1.9 “**Public drainage system**” has the meaning given to “drainage system” in Minn. Stat. §103E.005, subd.12.

2.1.10 “**Local water management authority**” has the meaning provided in Minn. Stat. §103F.48, subd.1(g).

2.1.11 “**Normal water level**” means the level evidenced by the long-term presence of surface water as indicated directly by hydrophylic plants, hydric soils, or indirectly determined via hydrological models or analysis.

2.1.12 “**SWCD**” means Soil and Water Conservation District.

2.1.13 “**County**” means Roseau County and its employees, designees or representatives.

2.1.14. “**Validation of Compliance**” means a notice issued by SWCD that validates that a site(s) is compliant and that said validation applies as long as all practices identified/documented continue to be in place and substantially in the condition identified at the time of issuance. Said notice shall be in recordable form.

2.2 **Severability.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

2.3 **Data sharing/management.**

2.3.1 The County may enter into arrangements with an SWCD, a watershed district if applicable, BWSR, and other parties with respect to the creation and maintenance of, and access to, data concerning buffers and alternative practices under this ordinance.

2.3.2 The County will manage all such data in accordance with the Minnesota Data Practices Act and any other applicable laws.

2.4 **Delegation of Enforcement.** Nothing herein shall prevent the County from entering into an agreement with any other entity authorized under Minn. Stat. 103F.48 to enforce buffer requirements within its jurisdiction according to this ordinance, or other properly adopted enforcement rule.

2.5 **Drainage System Acquisition and Compensation for Buffer.** Nothing in this ordinance shall prevent the acquisition and compensation of grass buffers on public drainage systems pursuant to Minnesota Statutes Chapter 103E.

2.6 **Notice.** Any notice or other communication to be provided herein shall be directed to the landowner whose name and address appears on the County's Property Tax Records and is listed as the taxpayer. Notice provided to said landowner shall be considered sufficient notice to all those who may be considered a landowner as defined in Section 2.1.7.

3.0 JURISDICTION

3.1 **Jurisdiction.** The provisions of this ordinance apply to all waters shown on the buffer protection map, excluding public drainage systems for which the County is not the drainage authority under Minn. Stat. chapter 103E, where another enforcement authority has elected enforcement jurisdiction.

4.0 BUFFER REQUIREMENTS

4.1 **Buffer width.** Except as provided in subsection 4.4 and 4.5 of this ordinance, a landowner owning property adjacent to a water body identified on the buffer protection map must establish and maintain a buffer area as follows:

- (a) For waters shown on the buffer protection map requiring a fifty (50) foot width buffer, the buffer width will be fifty (50) foot average and thirty (30) foot minimum width as provided in Minn. Stat. §103F.48, subd.3, as measured according to subsection 4.2; and
- (b) For waters shown on the buffer protection map requiring a sixteen and a half (16.5) foot minimum width buffer, the buffer width will be sixteen and a half (16.5) feet as provided in Minn. Stat. §103F.48, subd.3, and as measured according to subsection 4.2. This subsection applies only if the County is the drainage authority.

4.2 Measurement.

- (a) The width of any required buffer on land adjacent to a water requiring a fifty (50) foot average width and a thirty (30) foot minimum width buffer shall be measured from the top or crown of the bank. Where there is no defined bank, measurement must be from the edge of the normal water level as provided in Minn. Stat. §103F.48, subd.3(c).
- (b) The width of any required buffer on land adjacent to a water requiring a sixteen and a half (16.5) foot minimum width buffer shall be measured in the same manner as for measuring the vegetated grass strip under Minn. Stat. §103E.021, subd.1 as provided in Minn. Stat. §103F.48, subd.3(c).

4.3 Use of buffer area. Except as provided in sections 4.4 and 4.5, a buffer as defined in this ordinance may not be put to any use, including but not limited to, cultivation farming, which would remove or prevent the permanent growth of perennial vegetation.

4.4 Exemptions. The requirement of section 4.1 does not apply to land that is exempted from the water resources riparian protection requirements under Minn. Stat. §103F.48, subd.5.

4.5 Alternative practices. As provided in Minn. Stat. §103F.48, subd.3(b), an owner of land that is used for cultivation farming may demonstrate compliance with subsection 4.1 by establishing and maintaining an alternative riparian water quality practice(s), or combination of structural, vegetative, and management practice(s) which provide water quality protection comparable to the water quality protection provided by a required buffer as defined in sections 4.1 to 4.3. The adequacy of any alternative practice allowed under this section shall be based on:

a) the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG);

(b) common alternative practices adopted and published by BWSR;

(c) practices based on local conditions approved by the SWCD that are consistent with the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG); or

(d) other practices adopted by BWSR.

4.6 Compliance with other statute, ordinance or regulation. Where the provisions of any statute, ordinance, or regulation imposes greater restrictions than this ordinance, the provisions of such statute, ordinance or regulation shall be controlling.

5.0 COMPLIANCE DETERMINATIONS

5.1 Compliance determinations. Compliance with the buffer requirements set forth in section 4 will be determined by the SWCD on a parcel-by-parcel basis. The compliance status of each bank, or edge of a waterbody, on an individual parcel will be determined independently.

5.2 Investigation and notification of noncompliance. When the SWCD identifies a potential noncompliance with the buffer requirements or receives a legitimate third party complaint from a private individual, entity, or from another public agency, it will consult with the County to determine the appropriate course of action to document compliance status. This may include communication with the landowner, inspection, or other appropriate steps necessary to verify the compliance status of the parcel. On the basis of the evidence gathered in this process, the SWCD may issue a Notification of Noncompliance to the County. If the SWCD does not issue such a Notification, the County will not pursue a compliance or enforcement action under Minnesota Statutes §103F.48 and subsection 6.2 of this ordinance. If the SWCD does issue such a Notification, the SWCD must include, for consideration by the County, a list of corrective actions needed to come into compliance with the requirements of Minn. Stat. §103F.48; a recommended timeline for completing the corrective actions; and a standard by which the SWCD will judge compliance with the requirements of Minn. Stat. §103F.48 after the corrective actions are taken.

At any time during process set forth in 5.2 and 5.3, the landowner may provide documentation of compliance to the SWCD.

5.2.1 Compliance determination. The SWCD will evaluate the available documentation, and/or evaluate/inspect the buffer, and/or alternative practices to determine if the parcel is in compliance. Upon completion of the evaluation and/or inspection, the SWCD shall issue a written compliance determination to the landowner, the County and BWSR. The SWCD may also issue a Validation of Compliance if applicable and requested by the landowner.

5.3 Corrective Action Notice. On receipt of an SWCD Notification of Noncompliance, the County will issue the landowner a Corrective Action Notice that will:

(a) include a list of corrective actions needed to come into compliance with the requirements of Minn. Stat. §103F.48;

(b) provide a timeline for completing the corrective actions;

(c) provide the standard by which compliance will be evaluated after the corrective actions are taken; and

(d) include a statement that failure to complete corrective actions and achieve compliance within the timeline provided may result in civil or administrative enforcement actions and the assessment of administrative penalties.

The County may send the landowner a combined Corrective Action Notice and APO as provided in section 6.2 so long as the combined Notice/APO includes all the required elements of both.

The County shall transmit the corrective action notice by either personal service to the landowner or by depositing the same in the U.S. Mail (certified, return receipt mail). If service is made by mail, the document is deemed to have been received three business days after the notice was placed in the mail. Failure of actual receipt of a corrective action notice that has either been personally served, or served by depositing the same in the mail, shall not be deemed a defense in an enforcement proceeding under section 6.0 of this ordinance. The County shall also send a copy of the Notice to the SWCD and BWSR.

Counties may modify the corrective actions and timeline for compliance, in accordance with section 5.2, to extend the compliance timeline for a modification that imposes a substantial new action or significantly accelerates the completion date for an action.

5.3.1 At any time after receipt of a corrective action notice, the landowner may provide documentation of compliance to the County. In addition, the landowner may supply information to the County or the SWCD in support of a request to modify a corrective action or the timeline for compliance. On the basis of any such submittal or at its own discretion, the County may make a written modification to the Corrective Action Notice or timeline for compliance. The County, upon review and notification by the SWCD, should also make a written determination documenting whether the noncompliance has been fully corrected. Any such modification of a compliance determination will be served on the landowner in the manner provided for in section 5.3 of this ordinance. The County shall provide the SWCD and BWSR a written copy of any modification made pursuant to this provision.

5.3.2 The SWCD may, after an evaluation of the evidence documenting compliance submitted by the landowner, issue a written Validation of Compliance if requested by the landowner. Upon receipt by the County of a written compliance determination issued by the SWCD, the Corrective Action Notice will be deemed withdrawn for the purpose of section 6.0 of this ordinance, and the subject property will not be subject to enforcement under that section.

6.0 ENFORCEMENT

6.1 Administrative Penalty Order. (APO)

The County may issue an APO, as provided for in Minn. Stat. 103F.48, subd.7(b) and (c), and 103B.101, subd.12(a), to a landowner who has failed to take the corrective action as set forth in the corrective action notice. The APO must be served on the landowner together with a copy of the corrective action notice; or, alternatively, the County may serve the landowner with a combined Corrective Action Notice And APO as long as the combined Notice/APO includes all the elements of both. Service is effective either by personal service or by depositing the documents set forth herein in the U.S. Mail. Any penalty assessed in the APO shall continue to accrue until the violation is corrected as provided in the Corrective Action Notice and APO.

(a) Initial violation. The penalty for a landowner on a single parcel that has not previously been issued a corrective action notice by the County shall be:

- i. \$0 for 11 months after issuance of the Corrective Action Notice or during the schedule issued for taking correction actions, whichever is greater;
- ii. Up to \$200 per parcel per month for the first six (6) months (180 days) following the time period in i; and
- iii. Up to \$500 per parcel per month after six (6) months (180 days) following the time period in ii.

(b) Repeat violation. The penalty for a landowner on a single parcel that has previously been issued a corrective action notice by the County shall be:

- i. Up to \$200 per parcel per day for 180 days after issuance of the subsequent Corrective Action Notice; and
- ii. Up to \$500 per parcel per day for after 180 days following the time period in i.

(c) Ongoing penalty assessment. Any penalty assessed under this section shall continue until the corrective action notice has been satisfied.

6.1.1 **Penalty Determination.** For administrative penalties imposed by the County, the County shall determine the severity of the noncompliance, intentional nature of noncompliance, and frequency of noncompliance in determining the amount of violation. The amount of an APO will be based on considerations including the extent, gravity and willfulness of the noncompliance; its economic benefit to the responsible party; the extent of the responsible party’s diligence in addressing the violation; any noncompliance history; the public costs incurred to address the noncompliance; and other factors as applicable. Upon appropriate findings, the County shall use the following table to determine a penalty amount:

Nature of Violation	Severity of Violation		
	Minor	Moderate	Substantial
		e	al

• Initial noncompliance (initial term)	\$50	\$100	\$150
• Initial noncompliance (subsequent term)	\$200	\$300	\$400
• Subsequent initial noncompliance (new parcel, initial term)	\$100	\$150	\$200
• Subsequent initial noncompliance (new parcel, subsequent term)	\$300	\$400	\$500
• Repeat noncompliance (same parcel, initial term)	\$100	\$150	\$200
• Repeat noncompliance (same parcel, subsequent term)	\$300	\$400	\$500

6.1.2 APO. To be valid the APO shall include, at a minimum:

- i. The facts constituting the violation of the riparian protection and water quality practices requirements set forth in this section 4.0 of this ordinance, or Minn. Stat. §103F.48;
- ii. The specific statute and/or ordinance section(s) that has/have been violated;
- iii. A written description of prior efforts to work with the landowner to resolve the violation;
- iv. The amount of the penalty to be imposed;
- v. The facts supporting the amount of the penalty;
- vi. The date the penalty will begin to accrue;
- vii. The date that payment of the penalty is due;
- viii. The date by which all or part of the penalty may be forgiven if the landowner has/have complied with the Corrective Action Notice; and
- ix. A statement of the landowner's right to appeal the APO to BWSR.

6.1.3 All or part of the penalty may be forgiven based on the correction of the noncompliance by the date specified in the APO by the landowner as provided in Minn. Stat. §103F.48, subd.7(d).

6.1.4 A copy of the APO must be sent to the SWCD and BWSR.

6.1.5 An APO issued under this section may be appealed to BWSR within 30 days of receipt by the landowner in accordance with the requirements set forth in Minn. Stat. §103F.48, subd.9. Any APO that is not appealed within the 30 day period shall be deemed final.

6.2 Administrative Penalty Order Procedures.

6.2.1 Compliance verification. Once a landowner has been provided notice and submitted written evidence of correction of the violation set forth in the notice of compliance, compliance must be verified. The County will refer the landowner's evidence and notice to the SWCD. The SWCD shall:

- i. Review and evaluate all information related to the corrective action notice or APO to determine if the violation has been corrected;
- ii. Verify compliance by site visit, re-inspection, examination of documentation, or other means as may be reasonable under the facts of the case; and
- iii. Document compliance verification.

The SWCD may consult with the County when conducting a compliance verification.

6.2.2 Right to appeal. Within 30 days after receipt of the APO, a landowner may appeal the terms and conditions of an APO to BWSR as provided in Minn. Stat. §103F.48, subd.9. The appeal must be in writing, must include a copy of the APO that is being appealed, the basis for the appeal, and any other supporting

documentation. The appeal may be submitted personally, by U.S. mail, or electronically, to the Executive Director of BWSR.

6.2.3 Penalty due. Unless the landowner appeals the APO as provided in section 6.2.3, the penalty specified in the APO becomes immediately due and payable to the County as set forth in the APO. If, however, the landowner submits written documentation that the violations have been corrected prior to the time the penalty becomes due and payable, the SWCD shall verify compliance, and the County shall adjust the penalty to an amount the landowner would have owed had the penalty been paid on the date the landowner submitted written documentation of compliance. Written documentation of compliance may include a written validation of compliance issued by the SWCD.

However, if the SWCD determines the violation was not fully corrected, the County shall notify the landowner by issuing a written letter of determination and depositing it in the U.S. Mail. Any determination sent by mail shall be deemed received three business days after the letter of determination has been deposited in the mail. The landowner shall have an additional 20 days after receipt of the letter of determination to pay the penalty, or the time period specified in the APO as issued, whichever is later. The penalty will continue to accrue until the violation is corrected as provided in the Corrective Action Notice and APO.

6.2.4 Referral for collection of penalty. All penalties and interest assessed under an APO must be paid by the landowner within the time specified in this section. All payments shall be made payable to the County. Any penalty or interest not received in the specified time may be collected by the County using any lawful means, including recovery by including the payment due to the applicable property tax statement.

6.2.5 Reporting and documentation. The SWCD shall maintain records concerning any potential violation of the riparian protection and water quality practices requirements. The records shall include, but are not limited to, the following:

- i. The cause of the violation;
- ii. The magnitude and duration of the violation;
- iii. Documentation showing whether the violation presents an actual or imminent risk to public health and safety;
- iv. Documentation showing whether the violation has the potential to harm the natural resources of the State;
- v. A record of past violations;
- vi. Efforts by the SWCD, County, Watershed District or BWSR to assist the responsible party or parties to become compliant, including written and oral communications with the responsible party or parties ; and
- vii. Past and present corrective action efforts by the responsible party or parties.

7.0 ADOPTION

The Roseau County Buffer Ordinance is hereby adopted by the Roseau County Board of Commissioners on this 14th day of November, 2017.

APPROVE BILLS

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

Warrants Approved For Payment 10/26/2017

<u>Vendor Name</u>	<u>Amount</u>
AFLAC	3,651.40
BERGSTROM ELECTRIC INC	17,955.00
JOHNSON OIL CO INC	4,922.52
6 Payments less than 2,000	2,186.71
Final Total:	28,715.63

Warrants Approved For Payment 10/27/2017

<u>Vendor Name</u>	<u>Amount</u>
LIFECARE MEDICAL CENTER	40,824.99
MN JUDICIAL BRANCH	36,604.05
Final Total:	77,429.04

Warrants Approved For Payment 11/02/2017

<u>Vendor Name</u>	<u>Amount</u>
B & B PLUMBING & HEATING INC	2,750.00
BADGER CITY	44,124.67
GREENBUSH CITY	106,886.33
JOHNSON/LAURE A	3,526.88
KNIFE RIVER MATERIALS	172,762.36
NW MN MULTI COUNTY HRA	16,737.94
NW REGIONAL DEV COMM	6,080.80
ROOSEVELT CITY	3,353.63
ROSEAU CITY	501,777.78
ROSEAU RIVER WATERSHED DIST	150,167.33
ROSEAU ROOFING & REMODELING	22,500.00
SCHOOL DIST 2358	3,738.06
SCHOOL DIST 2683	65,587.02
SCHOOL DIST 447	3,542.99
SCHOOL DIST 676	74,005.04
SCHOOL DIST 682	824,888.55
SCHOOL DIST 690	623,680.02
SPRINGSTEEL ISLAND SANITARY DISTRICT	10,932.77
TOWN OF BARNETT	2,854.70
TOWN OF BARTO	3,893.31
TOWN OF CEDARBEND	5,220.78
TOWN OF DEWEY	2,198.70
TOWN OF DIETER	3,059.44
TOWN OF ENSTROM	8,504.81
TOWN OF FALUN	4,993.31
TOWN OF GOLDEN VALLEY	7,406.91
TOWN OF GRIMSTAD	5,970.65
TOWN OF HEREIM	4,030.45
TOWN OF HUSS	2,807.12
TOWN OF JADIS	15,177.30
TOWN OF LAKE	107,850.28
TOWN OF LAONA	7,715.75
TOWN OF MALUNG	7,695.30
TOWN OF MICKINOCK	7,985.31
TOWN OF MOOSE	2,435.93
TOWN OF MORANVILLE	26,610.15

TOWN OF PALMVILLE	2,579.98
TOWN OF POLONIA	3,648.81
TOWN OF REINE	4,133.14
TOWN OF ROSS	7,158.97
TOWN OF SKAGEN	6,407.39
TOWN OF SOLER	2,222.10
TOWN OF SPRUCE	11,728.36
TOWN OF STAFFORD	7,737.62
TOWN OF STOKES	7,506.02
TWO RIVERS WATERSHED DISTRICT	25,729.42
WARROAD CITY	344,661.17
WARROAD PORT AUTHORITY	17,400.19
WARROAD WATERSHED DISTRICT	9,257.32
16 Payments less than 2,000.00	11,169.61
Final Total:	3,324,792.47

Warrants Approved For Payment 11/09/2017

<u>Vendor Name</u>	<u>Amount</u>
CENTURLINK	3,174.67
DEARBORN NATIONAL LIFE INSURANCE	3,379.45
NW MN SERV COOP-BLUE CROSS BLUE	98,591.50
RIVERFRONT STATION	2,731.36
SUN LIFE ASSURANCE COMPANY OF CAN	2,111.75
12 Payments less than 2,000.00	6,460.74
Final Total:	116,449.47

Warrants Approved On 11/14/2017 For Payment 11/17/2017

<u>Vendor Name</u>	<u>Amount</u>
AMERICAN INSTITUTIONAL SUPPLY	2,481.05
ANDREW J STOSKOPF TRUCKING INC	7,760.32
AUTO VALUE OF ROSEAU	4,616.13
COULOMBE CONSULTING	4,290.00
DW MECHANICAL-DBA	3,150.00
FARMERS UNION OIL CO-WARROAD	3,510.37
HANNAHER'S INC	2,850.00
HILDI INC	3,500.00
INTRADYN DBA	8,704.48
LIBERTY TIRE RECYCLING SERVICES	2,891.00
LIFECARE MEDICAL CENTER	5,764.98
M & R SIGN CO INC	14,124.93
MAR-KIT LANDFILL	42,989.00
NORTHERN RESOURCES COOPERATIVE	15,621.97
POWER PLAN	20,943.97
ROSEAU CO COOP ASSN	6,933.83
ROSEAU CO HWY DEPT	29,885.61
ROSELL ENGINEERING LLC	5,220.00
SIMMONS CONTRACTING LLC	25,333.20
SJOBORG'S INC	2,668.25
SUMMIT FOOD SERVICE-DBA	18,196.86
TRUE NORTH STEEL	22,471.50
VANGUARD APPRAISALS, INC	2,570.40
ZIEGLER INC	7,063.27
81 Payments less than 2,000.00	37,374.49
Final Total:	300,915.61

In addition, the Board approved a forthwith payment to Blooming Valley Services, in the amount of \$2,250.00, for beaver dam removal on County Ditches 69, 91 and 72.

CONSENT AGENDA

A motion to approve the Consent Agenda was made by Commissioner Falk, seconded by Commissioner Walker and carried unanimously. The Board, by adoption of its Consent Agenda, approved the October 24, 2017 Regular Board Meeting Proceedings; approved the 2018-2019 Minnesota Family Investment Program Service Agreement; approved advertising for the hire of a regular full-time Social Worker; set the Roseau County 2017 Tax Forfeited Land Sale for Tuesday, December 19, 2017 at 1:00 p.m., in the Roseau County Boardroom; approved an Addendum to the University of Minnesota Extension/Roseau County Agreement, in the amount of \$14,438.00, authorizing the hire of a .2 FTE STEM Program Director; approved a two year extension to the Professional Service Custodial Contract with Laure Johnson (2018-2019); approved a Professional Service Agreement between the Minnesota Counties Computer Cooperative and Strategic Technologies, effective January 1, 2018 through December 31, 2022; and, approved a Minnesota Lawful Gambling Permit for the Warroad Chamber of Commerce for an event to be held at Springsteel Resort on February 17, 2018.

DEPARTMENT REPORTS

Election Equipment Policy

Auditor Monsrud presented the Board with a proposed Election Equipment Policy and a proposal for combining stand-alone polling places. The proposal identifies precincts that could either combine with another polling place or change to a mail ballot precinct. Costs associated with this proposal were presented, which included State grant funding options. Auditor Monsrud was instructed to send a modified proposal to all Township Board members for review/comment, and to schedule follow-up meetings as necessary.

In addition, Auditor Monsrud will submit the election equipment grant application prior to the December 15, 2017 deadline.

COMMITTEE REPORTS

Building Committee

Building Committee Chair Dave Anderson met with the Board to request authorization to exceed the spending cap of \$5,000.00, if necessary, in order to hire MJ Architectural Studios to further develop plans for the proposed Courthouse expansion in the Law Enforcement wing. A motion to authorize the Committee to exceed the spending cap, if necessary, was made by Commissioner Swanson, seconded by Commissioner Falk and carried unanimously.

COUNTY BOARD ITEMS

Border Crossing Resolution

Coordinator Pelowski provided the Board with a review of the Town Hall meeting called by the U.S. Customs and Border Patrol (CBP) regarding the changes to the hours of operation at the Roseau and Lancaster Ports of Entry. Pelowski noted the public disapproval of these changes, and added that letters of opposition have been sent by Governor Dayton, US Senator Klobuchar, US Senator Franken, Congressman Peterson, State Representative Fabian and State Senator Johnson. As an outcome of the 11/7/17 Board Work Session, the Board requested a Resolution be

drafted in opposition to the proposed changes for possible approval at today's meeting. A motion was made by Commissioner Swanson, seconded by Commissioner Phillipe and carried unanimously to adopt the following Resolution:

2017-11-02

WHEREAS, the U.S. Customs and Border Patrol (CBP) have decided to reduce the hours at both the Roseau, MN and Lancaster, MN Ports of Entry, effective January 7, 2018;

WHEREAS, the CBP appears to have based their decision only on the number of vehicles using the Ports during the hours that are going to be reduced;

WHEREAS, the CBP did not consider any economic, cultural, or public safety factors when making their decision;

WHEREAS, CBP made their decision first, and then decided to hold public information meetings; rather than soliciting public information prior to making a decision;

WHEREAS, the Roseau and Lancaster Ports rank 8th and 12th in usage throughout the Pembina Port District, (there are 25 Ports in the Pembina District);

WHEREAS, the Cities of Roseau and Lancaster's commerce is dependent on easy flow back and forth across the border with our Canadian neighbors;

THEREFORE BE IT RESOLVED, the Roseau County Board of Commissioners officially opposes the decision to reduce the hours at the Roseau and Lancaster Ports of Entry;

BE IT FURTHER RESOLVED that the County Board requests that the CBP rescind its action to reduce the hours at both Ports, perform a comprehensive economic impact analysis of all of the Ports in the Pembina District, and include community input into the process so that the best outcome can be achieved.

COMMISSIONER COMMITTEE REPORTS (October 24, 2017 - November 14, 2017)

Commissioner Falk reported on the following committee(s): Association of Minnesota Counties (AMC) District III meeting (Mahnomen); Joint Ditch meeting with Lake of the Woods County; Roseau River Watershed Board; U.S. Customs and Border Patrol Town Hall meeting; Operations/County Board Work Session; Roseau County Soil and Water Conservation District.

Commissioner Foldesi reported on the following committee(s): Operations/County Board Work Session.

Commissioner Phillipe reported on the following committee(s): Highway Committee; Warroad Community Education; Joint Ditch meeting with Lake of the Woods County; AMC Communications Training; Operations/County Board Work Session; Minnesota Statewide Health Improvement Partnership; Team EPIC; Warroad Community Park committee.

Commissioner Swanson reported on the following committee(s): AMC District II Fall meeting (Bemidji); Roseau Economic Development Authority; AMC District III Fall meeting (Mahnomen); Law Library; AMC Public Lands Working Group; Community Justice Coordinating Committee; U.S. Customs and Border Patrol Town Hall meeting; AMC Communications Training; Roseau City Council; Operations/County Board Work Session; Roseau Convention and Visitors Bureau; National Association of Counties Community Workforce and Economic Development Committee Teleconference; Team EPIC.

Commissioner Walker reported on the following committee(s): Joint Ditch meeting with Lake of the Woods County.

Upon motion carried, the Board adjourned the regular meeting at 11:05 a.m. The next regular meeting of the Board is scheduled for November 28, 2017 at 9:00 a.m.

Attest:

Date: _____

Jeff Pelowski, County Coordinator
Roseau County, Minnesota

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

DRAFT

TERMS FOR THE PRIVATE AND PUBLIC SALE OF TAX FORFEITED LAND IN ROSEAU COUNTY

December 19, 2017 @ 1:00 p.m. at the Roseau County Courthouse

PRIVATE SALES: **Note: Eligible bidders are those landowners whose property adjoins the parcel of tax-forfeited land.** All tax forfeited land is offered at an **in-person** private auction and sold to the highest bidder of the adjoining land owner. 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.

PUBLIC SALES: All tax forfeited land is offered at an **in-person** 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.

FULL PURCHASE PRICE IS DUE AT TIME OF SALE.

In addition to the purchase price, the following fees will be collected at the time of sale:

- State assurance surcharge: 3% of the purchase price;
- State Deed Fee: \$25.00;
- Deed Filing Fee: \$46.00;
- State Deed Tax: equal to the greater of \$1.65 or 0.33% of the purchase price.

All sales are final, and no refunds or exchanges are permitted. Roseau County is not responsible for determining property lines or boundaries. Access to the property is the responsibility of the buyer.

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. Contact the city or township where the land is located for details of building codes or zoning laws. **The appraised value does not represent a basis for future taxes.**

All property is sold “**as is**”. Roseau County makes no warranty that the land is “**buildable**” or the “**condition**” of the buildings on the property. 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.

RADON WARNING STATEMENT: Minnesota Department of Health strongly recommends that ALL potential buyers have an indoor radon test performed prior to purchase or taking occupancy of any tax-forfeited residential property. Roseau County has no knowledge of radon and is not required to conduct radon testing on tax-forfeited residential property.

SPECIAL ASSESSMENTS: 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 incurred have also been added to the appraised value. These costs are paid by the purchaser as part of the basic sale price.

It is the responsibility of the prospective buyer to contact the city/township to determine if any future special assessments will be assessed to the property.

TITLE: PROOF OF OWNERSHIP: The buyer will receive a receipt at the time of the sale. Roseau County will submit an application of Conveyance of Forfeited Lands for a State Deed from the Department of Revenue. Once Roseau County receives the State Deed, it will be recorded.

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 greater, pursuant to Minnesota Statutes Section 282.01, Subd. 7.

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 future public sale.

IN ORDER TO PROTECT YOUR LEGAL INTERESTS, WE RECOMMEND THAT YOU CONSULT WITH YOUR ATTORNEY ON LEGAL ISSUES THAT MAY BE ASSOCIATED WITH THE SALE.

**Roseau County Board
October 2017 Meetings**

**Glenda A. Phillippe
District One**

**November 14: Roseau County Board – Roseau
November 14: NextGen 911 – Roseau
November 15: Hazardous Waste ITV – Roseau
November 15: Lake Township – Warroad
November 21: Social Services - Roseau
November 27: Warroad City Council – Warroad
November 27: Warroad Community Park - Warroad
November 28: Roseau County Board – Roseau
November 28: Joint Ditch Authority – Roseau**

JACK SWANSON COMMITTEE REPORTS

NOV 14, 2017 - HIGHWAY COMMITTEE

NOV 15, 2017 - NORTHWEST MINNESOTA HOUSING AND REDEVELOPMENT AUTHORITY (TRF); annual audit from Brady-Martz

NOV 15, 2017 - COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (TRF); MURL projects

NOV 16, 2017 - ROSEAU SCHOOL BOARD

NOV 20, 2017 - ROSEAU COUNTY EXTENSION COMMITTEE

NOV 21, 2017 - SOCIAL SERVICES BOARD

NOV 27, 2017 - ASSOCIATION OF MINNESOTA COUNTIES EXECUTIVE COMMITTEE