

REGULAR BOARD MEETING AGENDA

Notice is hereby given that the Board of Commissioners of Roseau County will meet in session on **May 14, 2019, at 8:30 a.m.**, in the Roseau County Courthouse, Room 110, Roseau, MN, at which time the following matters will come before the Board:

8:30 Call to Order

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

8:35 Delegations/Board Appointments/Public Comments*

1. Myles Hogenson – Roseau County Trailblazers Annual Review

8:50 Consent Agenda

1. April 23, 2019 Board Proceedings
2. Roseau County Trailblazers – 4th Benchmark

8:55 Department Reports

1. Highway
 - a. Heavy Equipment Operator Hire
 - b. Bridge Bonding Grant Resolution
 - c. Pay Grade Revision(s)
 - d. County Engineer Contract
2. Coordinator
 - a. Pay Grade Revision

9:25 Committee Reports

9:30 County Board Items

1. NW Regional Transportation Coordination Council Appointment
2. CR139 Culvert – “Findings and Order” Resolution
3. Commissioner Committee Reports

10:15 Unfinished Business

10:15 Adjourn

***Limited to five minutes**

County Coordinator's Office e-mail address: joleen.kezar@co.roseau.mn.us, Roseau County Home Page Address: <http://www.co.roseau.mn.us/>

District 1, John Horner - District 2, Jack Swanson, Chair
District 3, Roger Falk, Vice-Chair - District 4, Russell Walker - District 5, Daryl Wicklund

An Equal Opportunity Employer



Roseau County Request for Board Action

Agenda Item #: Board Appointment 1 <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Roseau County Trailblazers
Subject Title (as it will appear on the Agenda): Roseau County Trailblazers Annual Review	Presenter: Myles Hogenson	
	Estimated Amount of Time Needed for Discussion: <input type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input checked="" type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes	
Board Action Requested: Myles will be presenting the Trailblazer's Annual Review, and will be requesting Board review and approval of their 2019-2020 Grant-In-Aid application.		
Background: The Board approved a Resolution of Support for this application at the April 23, 2019 Regular Board meeting, (attached).		
Supporting Documentation: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input checked="" type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		

**MINNESOTA SNOWMOBILE TRAILS ASSISTANCE PROGRAM
MAINTENANCE AND GROOMING APPLICATION**

Trail/Area Name /Type of Trail (PRINT or TYPE) <i>Pelan</i>		Date <i>4/21/19</i>	
Trail Administrator (PRINT or TYPE) <i>Myles Hogenson</i>		Trail Administrator Signature <i>Myles Hogenson</i>	
Address (No. & Street, RFD, Box No., City, State, Zip Code) <i>68724 310 ST NW Roosevelt MN. 56673</i>		Home Phone Number <i>218-442-6841</i>	Work Phone Number <i>218-689-6889</i>
GPS Verified Miles of Trail: <i>348.7</i>			Date of Meeting Attended: <i>4/8/19</i>

Department Use Only			
Verified Miles:	Mileage Rate:	Amount:	Recommended: \$ _____

SPONSOR APPROVAL

Unit of Government <i>Roseau County</i>		Telephone Number (Include Area Code): <i>218-463-3750</i>	
Authorized Signature of Sponsor	Title	Date	

CERTIFICATION BY DEPARTMENT OF NATURAL RESOURCES

Authorized Signature For DNR	Area Trails Supervisor	Date
Authorized Signature For DNR	Regional Parks and Trails Manager	Date

Checklist/Mandatory Attachments:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Certification of Trail Closure/4 th Benchmark | <input checked="" type="checkbox"/> Proof of Club Non-Profit Status |
| <input checked="" type="checkbox"/> Grooming Logs from the Previous Year | <input checked="" type="checkbox"/> Trail Contact Information |
| <input checked="" type="checkbox"/> Sponsor Resolution | <input checked="" type="checkbox"/> Sign Order (if applicable Form) |
| <input checked="" type="checkbox"/> Update of Current Trail Alignments | |
| <input checked="" type="checkbox"/> Backup Grooming Plan | |



MINNESOTA SNOWMOBILE TRAILS ASSISTANCE PROGRAM

OPERATOR'S GROOMING LOG SHEET

Trail Name	Date (Month/Day)	Operator Signature	Type of Groomer		Total Grooming Hours	Total Miles Groomed	Sponsor	Year
			Time (AM/PM)	Remarks: name of trail or section of trail groomed; additional comments				
Pelton							Roseau County	2018-2019
East Side		Myles Jay	194.95 miles	201.5 hr	/mi	Eastside hrs	Trail & Equipment Prep	
Maint, Trail Equip		Al, Jeremy		/hr	/mi			
Westside		Jeremy, AL,		/hr	/mi			
Maint, Trail Equip		Tony	166.7 miles	230 hr	/mi	Westside hrs,	Trail & Equipment Prep	
Contract Grooming		Harness	29.3 miles	10 Trips/hr	/mi	Contract	Dale Harness	
Westside Grooming		Jeremy, Al Tony	166.7 miles	10.98 Trips/hr	/mi	Aspen	Bully	
Eastside Grooming		Myles Jay Trail Bully	194.95 miles	8.76 Trips/hr	/mi	Trail	Bully	
Eastside Snowmobile Groomer		Myles Jay	194.95 miles	1.72 Trips/hr	/mi	Polaris	fiten & Groover	
TOTALS								

Roseau County Trailblazers

Backup Grooming plan

The Roseau County Trailblazers have access to our contract groomer on the Westside of Roseau County also access to a ASV and drag for both East and west, Along with that we have 2 Polaris Titan Widetracks along with a New 48 inch drag and a older 56 inch drag, our club also has a 2010 TrailBully and 2017 Pisten Bully 400

Thank You Roseau County Trailblazers,

Myles Hogenson Trail Coordinator

4/21/19



Board of Commissioners
606 5th Ave. SW, Room #131
Roseau, MN 56751
Phone: 218-463-4248
Fax: 218-463-3252

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

2019-04-04

BE IT RESOLVED that Roseau County supports the Roseau County Trailblazers, Inc. Grant-in-Aid Proposal and agrees to act as legal sponsor for funding received from the State of Minnesota Department of Natural Resources for the maintenance and grooming of the Pelan Trail System and the Beltrami Island State Forest Section 1 Trail.

BE IT FURTHER RESOLVED that upon approval of its application by the State, Roseau County may enter into an agreement with the State of Minnesota and will comply with all applicable Federal and State laws and regulations and conditions as stated in the agreement.

BE IT FURTHER RESOLVED that Roseau County hereby agrees to serve as the fiscal agent for the Roseau County Trailblazers, Inc. and authorizes the Board Chair to sign all related documents on behalf of Roseau County.

STATE OF MINNESOTA)
) ss
COUNTY OF ROSEAU)

I, Jeff Pelowski, County Coordinator in and for Roseau County, Minnesota, do hereby certify that the foregoing is a true and correct copy of a part of the proceedings adopted by the Roseau County Board of Commissioners on April 23, 2019.

Handwritten signature of Jeff Pelowski
Jeff Pelowski
Roseau County Coordinator

District 1, John Horner - District 2, Jack Swanson, Chair
District 3, Roger Falk, Vice-Chair - District 4, Russell Walker - District 5, Daryl Wicklund

An Equal Opportunity Employer

ANDERSON	DANNY	31227 STATE H' BADGER	MN	56714 (218) 469-3472	LO
ANDERSON	GREG & DIANN	61125 340TH S' WARROAD	MN	56763 (218) 386-3262	1997 F-LO-L
ANDERSON	PAT	30711 STATE H' BADGER	MN	56714 (215) 528-3538	LO
ANDERSON	RUSS	12739 STATE H' GREENBUSH	MN	56726 (218) 782-2825	LO
ARNESEN FARM	EDDIE ARNESEN	8942 64TH STRI ROOSEVELT	MN	56673 (218) 442-5501	LO
BEITO	DONALD & KAR	35324 170TH S' WANNASKA	MN	56761 (218) 425-7632	F-LO
BRAZIER	DENNIS	20622 160TH S' GREENBUSH	MN	56726 (218) 782-3136	LO
COUNTY OF RO	ANNE GRANITZ	ROSEAU	MN	56751	LO
DOCKEN	MARY LOU	116 STUART DR JORDAN	MN	55352	LO
DOUGLAS	JOHN	315 3RD AVE N ROSEAU	MN	56751 (218) 463-3111	LO
DURAY	PAUL & BREND.	19710 170TH A GREENBUSH	MN	56726 (218) 782-2950	LO
ERICKSON	HILDA	19688 CTY RD 6 STRATHCONA	MN	56759 (218) 781-2655	LO
ESTLING	SPENCER	31863 690TH A ROOSEVELT	MN	56673 (218) 442-7162	LO
GREEN	TAY	56072 350TH WARROAD	MN	56763 (218) 386-2382	LO
HAGEN	LUVERNE	30284 CTY RD 1 BADGER	MN	56714 (218) 528-3523	LO
HAGEN	GLEN	28800 310TH A BADGER	MN	56714 (218) 528-3525	LO
HANSON	DAVID	18486 CTY RD 2 GREENBUSH	MN	56726 (218) 782-2898	LO
HOLLRAH	GORDON	61287 KIRKWO WARROAD	MN	56763 (218) 386-1987	LO
HOVERSON	TOM & JOANNI	12745 STATE H' STRATHCONA	MN	56759 (218) 781-2709	LO
HOVERSON	VICTOR	12839 STATE H' STRATHCONA	MN	56759 (218) 781-2863	LO
JACOBSON	RONALD	18375 160TH A GREENBUSH	MN	56726 (218) 782-2442	LO
JOHNSON	CURTISS	116 1ST LAKEW WARROAD	MN	56763	LO
JUHL	IVAN	14783 CTY RD 1 GREENBUSH	MN	56726 (218) 782-2163	LO
KARLSEN	NORMA	224 BIRCH DR N WARROAD	MN	56763 (218) 386-1528	LO
KUJAVA	DEBBIE	31773 310TH A BADGER	MN	56714 (218) 528-1682	LO
KVEEN	AL				LO
KVEEN	NORMAN		WI		LO
KVEEN	TERRY		WI		LO
LANDIN	GORDON	32590 630TH A WARROAD	MN	56763 (218) 386-1346	LO
LEE	KRAIG & BONN	PO BOX 85 WANNASKA	MN	56761 (218) 425-7719	1992 LO
LIEN	TOM & HEIDI	61785 KIRKWO WARROAD	MN	56763 (218) 386-1947	1992 F-LO
OLSEN	DUANE	10860 NATHAN MAPLE GROVE	MN	55369	LO
RICE	BRIAN	39650 320TH A ROSEAU	MN	56751 (218) 463-3794	LO
SCHALLER	RAYMOND	16708 STATE H' GREENBUSH	MN	56726 (218) 782-2517	LO
STOSKOPF	ALF	39380 STATE H' WARROAD	MN	56763 (218) 386-1377	LO
STOSKOPF	STEVE & SHEILA	PO BOX 623 WARROAD	MN	56763 (218) 386-1354	2002 F-LO
TILLBERG	GARY	28479 CTY RD 2 BADGER	MN	56714 (218) 528-3021	LO
TVIET	DAVE	69913 350TH S' ROOSEVELT	MN	56673 (218) 442-5652	LO
TVIET	LAWRENCE	5706 ROCKY PC ROOSEVELT	MN	56673	LO
WAAGE FARMS	TODD WAAGE	15432 STATE H' GREENBUSH	MN	56726 (218) 782-2652	LO
WAHL	JEFF & TAMMY	16471 STATE H' GREENBUSH	MN	56726 (218) 782-2186	LO
WELIN	JUNE				LO
WOLLIN	BOB	PO BOX 100 GREENBUSH	MN	56726 (218) 782-2338	LO

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **NOV 09 1999**

ROSEAU COUNTY TRAILBLAZERS INC
PO BOX 62
ROSEAU, MN 56751

Employer Identification Number:
41-1605761
DLN:
17053280038019
Contact Person:
MARC J MORGAN ID# 31189
Contact Telephone Number:
(877) 829-5500
Internal Revenue Code
Section 501(c)(4)
Accounting Period Ending:
March 31
Form 990 Required:
Yes
Addendum Applies:
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in the section indicated above.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay \$100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay \$50 or more during a calendar quarter if, during the current or preceding calendar year, you had one or more employees at any time in each of 20 calendar weeks or you paid wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5

Letter 948 (DO/CG)

ROSEAU COUNTY TRAILBLAZERS INC

percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

The law requires you to make your annual return available for public inspection without charge for three years after the due date of the return. You are also required to make available for public inspection a copy of your exemption application, any supporting documents and this exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are made widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Donors may not deduct contributions to you because you are not an organization described in section 170(c) of the Code. Under section 6113, any fundraising solicitation you make must include an express statement (in a conspicuous and easily recognizable format) that contributions or gifts to you are not deductible as charitable contributions for Federal income tax purposes. This provision does not apply, however, if your annual gross receipts are normally \$100,000 or less, or if your solicitations are made to no more than ten persons during a calendar year. The law provides penalties for failure to comply with this requirement, unless failure is due to reasonable cause.

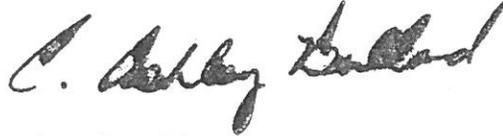
If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status, you should keep it in your permanent records.

ROSEAU COUNTY TRAILBLAZERS INC

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "C. Shelby Holland". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline.

District Director

PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

April 23, 2019

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, April 23, 2019.

CALL TO ORDER

The meeting was called to order at 8:30 a.m. by Board Chair Jack Swanson. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, John Horner, Jack Swanson, Russell Walker and Daryl Wicklund. Others present were Martie Monsrud, Jeff Pelowski, Joleen Kezar, Brian Ketring, Kristy Kjos, Dave Anderson, and Ben Johnston.

APPROVAL OF AGENDA

Added to County Board Items: Update on the Magnusson Case; and a Resolution of Support for the de-listing of the gray wolf. A motion to approve the amended Agenda was made by Commissioner Walker, seconded by Commissioner Wicklund, and carried unanimously.

COMMENTS AND ANNOUNCEMENTS

Commissioner Swanson provided handouts regarding the Minnesota gas tax. Coordinator Pelowski inquired about the Northwest Regional Transportation Coordination Council Advisory Board. He had talked with Troy Schroeder from the Council to let him know that Glenda Phillippe had volunteered to remain on the Advisory Board but had not been officially appointed by the Roseau County Board. This committee appointment will be added to the next County Board Agenda for consideration.

APPROVE BILLS

A motion was made by Commissioner Wicklund, seconded by Commissioner Horner, and carried unanimously to approve the payment of the following warrants:

Warrants Approved For Payment 4/11/2019 (Warrant # 140143-140155)

<u>Vendor Name</u>	<u>Amount</u>
CENTURLINK	2,868.91
MN DEPT OF FINANCE -TREAS	2,079.00
ROSEAU CITY	12,383.09
10 Payments less than 2,000.00	6,416.41
Final Total:	23,747.41

Warrants Approved For Payment 4/18/2019 (Warrant # 140156-140170)

<u>Vendor Name</u>	<u>Amount</u>
CO-OP SERVICE INC	2,040.34
DEPT OF NATURAL RESOURCES	2,000.00
ROSEAU CO TRAILBLAZERS	33,930.39
12 Payments less than 2,000.00	5,343.93
Final Total:	43,314.66

Warrants Approved On 4/23/2019 For Payment 4/26/2019 (Warrant # 140171-140245)

<u>Vendor Name</u>	<u>Amount</u>
EMERGITECH LLC	9,743.71
EVCO PETROLEUM PRODUCTS INC	2,073.25
FARMERS UNION OIL CO-WARROAD	6,734.83

GCR TIRES & SERVICE	6,689.52
IMPACT	4,559.13
JOHNSON CONTROLS	3,832.20
LIFECARE MEDICAL CENTER	3,943.96
LIFECARE MEDICAL CENTER-HOME HEALTH	2,190.85
MATTSON PHARMACY INC	2,026.04
MN COUNTIES COMPUTER COOP	10,985.76
MSOP-MN SEX OFFENDER PROGRAM-D	4,625.20
NORTHERN RESOURCES COOPERATIVE	9,470.70
REGENTS OF U OF MINNESOTA	18,744.99
RINKE-NOONAN LAW FIRM	2,354.50
ROSEAU CO COOP ASSN	9,107.36
ROSEAU CO HWY DEPT	11,088.75
ROSEAU CO TREASURER	12,817.54
ROSEAU DIESEL SERVICE INC	2,731.10
SUMMIT FOOD SERVICE-DBA	14,682.77
UNIVERSITY OF NORTH DAKOTA	3,092.65
55 Payments less than 2,000.00	16,780.11
Final Total:	158,274.92

In addition, the Board approved a forthwith payment in the amount of \$7,783.37 to Rupp, Anderson, Squires, & Waldspurger for legal fees incurred for the Magnusson case.

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 April 9, 2019, Board Proceedings; approved the Roseau County Trailblazers Resolution of Support for their FY2019 Grant-in-Aid application; and, approved creating the Social Services Family-Based Services Provider position, authorizing submittal of the resulting job description to MRA for review/rating, and advertising for hire to fill this new position.

DEPARTMENT REPORTS

Highway

CSAH 9 Construction Project - Contract

Engineer Ketring stated that three bids were received for this project. Knife River Construction provided the lowest bid at \$4,682,677.46. The 7.25 mile project is scheduled to start in mid-June and will be completed this year. A motion to authorize entering into contract with Knife River Construction was made by Commissioner Walker, seconded by Commissioner Falk, and carried unanimously.

COUNTY BOARD ITEMS

Update on the Magnusson Lawsuit

Coordinator Pelowski distributed an update from Attorney Scott Anderson and provided a summary of the handout. There was no action taken.

De-Listing of the Gray Wolf

Commissioner Walker requested a Board Resolution of Support on the de-listing of the gray wolf. Following discussion, a motion was made by Commissioner Walker, seconded by Commissioner Wicklund, and carried unanimously to approve the following Resolution:

2019-04-05

RESOLUTION SUPPORTING THE DE-LISTING OF THE GRAY WOLF:

WHEREAS, the existing gray wolf population in Minnesota has significantly exceeded the “ideal” number of wolves as established by the MnDNR;

WHEREAS, the de-listing of the gray wolf is a necessity in Roseau County. Not only does there need to be a trapping and hunting season, but residents need to be given the right to protect their yards, poultry, and livestock. The loss of livestock and turkeys over the past years have been devastating. The wolves have no fear of people. They come right into farm yards and kill pets. At this time, despite MN.Statute 97B.645, some residents of Roseau County that have tried to protect their livestock with firearms, have been charged and fined. The government programs that reimburse for losses of livestock are poor at best. If a rancher can't find a calf or turkey the wolves drag into the woods, there is no reimbursement of loss. If they raise breeding stock, the value that fits their loss will not be paid by the government either.

THEREFORE BE IT RESOLVED, that the Roseau County Board of Commissioners hereby supports the de-listing of the gray wolf.

Commissioner Committee Reports (April 9 – April 23, 2019)

Commissioner Falk reported on the following committee(s): Highway Committee Meeting; Social Services Board Meeting; MnDNR Commissioner Meeting; Northwest Community Action Meeting.

Commissioner Horner reported on the following committee(s): Highway Committee Meeting; Lake Township Meeting; Warroad City Council Meeting.

Commissioner Swanson reported on the following committee(s): Highway Committee Meeting; Roseau School Board Meetings; Jadis Township Board Meeting; NACO Community, Economic, Workforce Development Teleconference; Northwest Minnesota Housing and Redevelopment Authority Meeting; Statewide Emergency Communications Board Finance Committee Teleconference; Team EPIC Meeting; Social Services Board Meeting; MnDNR Commissioner Meeting; Representative Dan Fabian/Senator Mark Johnson Town Hall Meeting; Association of Minnesota Counties Board of Directors Meeting .

Commissioner Walker reported on the following committee(s): Highway Committee Meeting; Social Services Board Meeting; MRC Board Meeting; MnDNR Commissioner Meeting.

Commissioner Wicklund reported on the following committee(s): Highway Committee Meeting; Social Services Board Meeting; MnDNR Commissioner Meeting; Historical Society Meeting; Badger City Council Meeting.

Upon motion carried, the Board adjourned the meeting at 9:30 a.m. The next Regular meeting of the Board is scheduled for Tuesday, May 14, 2019 at 8:30 a.m.

Attest:

Date: _____

Jeff Pelowski, County Coordinator
Roseau County, Minnesota

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

DRAFT



Roseau County Request for Board Action

Agenda Item #: Consent 2 <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Roseau County Trailblazers
Subject Title (as it will appear on the Agenda): Roseau County Trailblazers – 4 th Benchmark		Presenter: Myles Hogenson
		Estimated Amount of Time Needed for Discussion: <input checked="" type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes
Board Action Requested: Requesting Board approval of the Roseau County Trailblazers 4 th Benchmark payment.		
Background:		
Supporting Documentation: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		

SNOWMOBILE TRAILS ASSISTANCE PROGRAM MAINTENANCE AND GROOMING

Certification of Trail Closure/Application Submission

4th Benchmark – Due By May 15th

Trail Name: Roseau County Trailblazers/BISF 1

Club/Organization Name: Roseau County Trailblazers Snowmobile Club

Trail Administrator Signature: Myles Hogerson Date: 4/21/19

By signing this form, the Sponsor certifies that the above snowmobile trail has been satisfactorily closed as defined within the Minnesota Snowmobile Trails Assistance Program Manual, an application for the coming grant round is completed and on file by May 15th and that a backup grooming plan is in place and is on file in the event the groomer or the operator are not able to maintain the trails.

Is there any reason why the Department of Natural Resources should withhold any part of this payment?
YES NO

If YES, please elaborate: _____

Sponsor Name (Local Unit of Government): Roseau County

Signature: _____ Date _____

Title: _____

Amount requested \$6,786.08 _____ (Up to 5% of the original contract.)

DEPARTMENT USE ONLY

THIS INVOICE APPROVED FOR PAYMENT BY:

Parks and Trails Area Supervisor – OK TO PAY	Date	FY	Amount
			\$
SWIFT PO: 3-142406	RECEIPT #		
VENDOR #: 0000197344	LINE #		
SERVICE BEGIN DATE: April 1, 2019	SERVICE END DATE:		
INVOICE #: BM4	Vendor Name and Address: Roseau County 606 5 th Ave SW, Room 131 Roseau, MN 56751		



Roseau County Request for Board Action

Agenda Item #: Department Reports 1a <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Highway
Subject Title (as it will appear on the Agenda): Heavy Equipment Operator Hire		Presenter: Brian Ketring
		Estimated Amount of Time Needed for Discussion: <input checked="" type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes
Board Action Requested: Requesting approval to hire Nathaniel Sorrels for this position. Upon approval, his start date would be May 28, 2019, at a starting wage of \$20.03/hour, (Grade 5, Step A).		
Background:		
Supporting Documentation: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		



Roseau County Request for Board Action

Agenda Item #: Department Reports 1b <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Highway
Subject Title (as it will appear on the Agenda): Bridge Bonding Grant Resolution	Presenter: Brian Ketring	
	Estimated Amount of Time Needed for Discussion: <input checked="" type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes	
Board Action Requested: Requesting approval of the attached Resolution accepting Minnesota State Transportation funding, in the amount of \$74,679.50, for the construction of Bridge No.68J50. The bridge is located on CSAH 9 at the County Line.		
Background: The County applied for State grant funding for the replacement of this bridge as a part of the CSAH 9 reconstruction project. The State has awarded grant funding for 50% of the cost of construction with the remaining funds coming from the County's State Gas Tax allotment.		
Supporting Documentation: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		



Board of Commissioners
606 5th Ave. SW, Room #131
Roseau, MN 56751
Phone: 218-463-4248
Fax: 218-463-3252

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

2019-05-01

RESOLUTION
For Grant Agreement to State Transportation Fund
(Local Bridge Replacement Program)
Grant Terms and Conditions (MnDOT Contract #: 1033325)
SAP 068-609-020
May 14, 2019

WHEREAS, Roseau County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 68J50; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$74,679.50 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Roseau County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

STATE OF MINNESOTA)
) ss
COUNTY OF ROSEAU)

I, Jeff Pelowski, County Coordinator in and for Roseau County, Minnesota, do hereby certify that the foregoing is a true and correct copy of a part of the proceedings adopted by the Roseau County Board of Commissioners on May 14, 2019.

Jeff Pelowski
Roseau County Coordinator



Roseau County Request for Board Action

Agenda Item #: Department Reports 1c <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Highway
Subject Title (as it will appear on the Agenda): Pay Grade Revision(s)	Presenter: Brian Ketring	
	Estimated Amount of Time Needed for Discussion: <input type="checkbox"/> < 5 minutes <input checked="" type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes	
Board Action Requested: Requesting the following Board Action, based upon the recent MRA review/rating determinations: <ul style="list-style-type: none"> ➤ The Heavy Equipment Operator/Sprayer Operator be rated as a Grade 5 position when conducting Heavy Equipment Operator duties, and as a Grade 6 position when working as a Sprayer Operator; ➤ The Heavy Equipment Operator/Crusher Operator be rated as a Grade 5 position when conducting Heavy Equipment Operator duties, and as a Grade 6 position when working as a Crusher Operator; ➤ The Assistant Shop Mechanic/Maintenance Worker be rated as a Grade 6 position. ➤ The proposed pay grade revisions become effective on May 19, 2019. 		
The applicable background information was presented at the May 7, 2019 Board Work Session.		
Supporting Documentation: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		



Roseau County Request for Board Action

Agenda Item #: Department Reports 1d <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Highway
Subject Title (as it will appear on the Agenda): County Engineer Contract	Presenter: Brian Ketring	
	Estimated Amount of Time Needed for Discussion: <input type="checkbox"/> < 5 minutes <input checked="" type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes	
Board Action Requested: Consider renewal of the County Engineer's Contract, (current Contract is attached).		
Background: As presented at the May 7, 2019 Board Work Session. The current 4-year Contract expires on May 31, 2019.		
Supporting Documentation: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		

**EMPLOYMENT AGREEMENT
FOR ROSEAU COUNTY
COUNTY HIGHWAY ENGINEER**

This agreement made and entered into this 12th of May, 2015, by and between the County of Roseau, State of Minnesota, hereinafter called "County", and Brian Ketring, hereinafter called "Ketring".

WITNESSETH:

WHEREAS, the County desires to employ the services of Ketring as County Highway Engineer for the County of Roseau as required by Minnesota State Statute 163.07; and

WHEREAS, it is the desire of the County to provide certain benefits, establish certain conditions of employment and to set working conditions for Ketring; and

WHEREAS, it is the desire of the County to (1) secure and retain the services of Ketring and to, and (2) to provide a just means for terminating Ketring 's services by either party; and

WHEREAS, Ketring desires to accept employment as County Highway Engineer to said County;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. DUTIES

The County hereby agrees to employ Ketring as County Highway Engineer of said County to perform the functions and duties specified in the job description, (revision date of February 20, 2012), hereto attached and to perform other legally permissible and proper duties and functions as the County shall from time to time assign.

SECTION 2. TERM

- A. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the County to terminate the services of Ketring at any time, subject only to the provisions of Minnesota State Statute 163.07.
- B. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of Ketring to resign at any time from his position with the County. In the event Ketring voluntarily resigns his position with the County before expiration of the aforesaid term of his employment, then Ketring shall give the County thirty (30) notice in advance, unless the parties otherwise agree, with full benefit compensation.
- C. This agreement shall be effective immediately upon County Board approval of this Contract, and shall remain in effect through May, 31, 2019, pursuant to Minnesota State Statute 163.07.

SECTION 3. TERMINATION

Termination of this contract shall be done pursuant to Minnesota State Statute 163.07.

SECTION 4. SALARY

The County Engineer is Grade 14 on the County Compensation Schedule. Compensation adjustments will follow the County Compensation Plan and will follow the calendar year. 2015 compensation will be retroactive to the first pay period of 2015.

SECTION 5. HOURS OF WORK

Ketring shall complete his duties as County Highway Engineer as described in the attached job description in accordance with the expectations of a salaried exempt employee and in compliance with the Fair Labor Standards Act.

SECTION 6. OUTSIDE EMPLOYMENT

Ketring may not engage in any outside occupation or employment of business without prior County approval.

SECTION 7. LEAVE, VACATION, HOLIDAYS

Ketring shall receive leave, vacation and holidays as set out in the County Personnel policy manual.

SECTION 8. INSURANCE, BENEFIT PLANS

- A. Ketring shall be entitled to participate in all employee benefit plans, or programs of the County to the extent that his position, title, tenure, salary, age, health and other qualifications make him eligible to participate. County does not guarantee the adoption or continuance of any particular employee benefit plan or program during the term of this agreement, and Ketring's participation in any such plan or program shall be subject to the provisions, rules and regulations applicable thereto.
- B. County shall provide Ketring the same group hospital, medical, dental, life, and disability insurance benefits, and any other insurance and /or Benefit Plan not listed here, if any, as provided to all other regular County Employees.

SECTION 9. DUES AND SUBSCRIPTIONS

The County agrees to budget and to pay for the professional dues and subscriptions of Ketring necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement, and for the good of the County.

SECTION 10. PROFESSIONAL DEVELOPMENT

- A. The County hereby agrees to budget for and to pay the travel and subsistence expenses of Ketring for professional and official travel, meetings and occasions adequate to continue the professional development of Ketring and to adequately pursue necessary official and other functions for the County.

- B. The County also agrees to budget and to pay for the travel and subsistence expenses for Ketring for short courses, institutes, and seminars that are necessary for his professional development and for the good of the County.

SECTION 11. PERFORMANCE MEASURES

The County establishes the following performance measures, which will be reviewed for compliance in Ketring's annual evaluation.

Ketring agrees to:

1. Work cooperatively with the administrative form of government.
2. Develop a strategic plan for the Highway Department including structure, staffing, and operational plan.
3. Effectively manage staff for efficient and customer service focused service delivery.
4. Keep the County Board informed on Public Works information and projects necessary for policy development and general administration.
5. Prepare and update the five (5) year road and bridge plan.
6. Oversee and manage all activities of the Roseau County Highway Department.
7. Plan and implement the construction, maintenance and inspection of the county's roads, bridges and drainage systems using engineering principles and practices.
8. Prepare all road, bridge and drainage system permit applications.
9. Prepare annual Highway Department Budget and report to the County Board.
10. Secure federal, state and other funding for construction projects within the County.
11. Monitor and allocate resources for construction and maintenance projects.
12. Prepare required state and federal project reports.
13. Monitor and maintain capital improvements and approve purchases within budget.
14. Establish and maintain trusting relationships with internal and external groups, including other county, federal, state and municipal staff, elected officials and the general public.
15. Address individual, township, or other organizations concerns within the County.
16. Explore and recommend opportunities to work collaboratively with other counties, cities and agencies.
17. Stay informed of federal, state, district, regional and county transportation programs.
18. Prepare and submit to the county board annually a full and complete report covering all county highway work, and shall prepare and submit such other reports relating to the county highway system as the county board directs.
19. Communicate effectively with members the public, agencies, county departments.
20. Enforce safe work practices.
21. Perform related duties as assigned.

SECTION 12. TRANSPORTATION

The County agrees to provide a four-wheel drive vehicle, to be used for work-related travel.

SECTION 13. INDEMNIFICATION

The County shall defend, save harmless and indemnify Ketring against any tort, professional liability, claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Ketring's duties as County Highway Engineer.

SECTION 14. BONDING

The County shall bare the full cost of fidelity or other bonds required of Ketring under any law.

SECTION 15. NOTICES

Notices pursuant to the agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

- 1. COUNTY: Roseau County Coordinator
605 5th Avenue SW Room 131
Roseau, MN 56751

- 2. KETRING: Brian Ketring
16432 410th Ave
Wannaska, MN 56761

SECTION 16. GENERAL PROVISIONS

- A. The text herein shall constitute the entire agreement between the parties.

- B. This agreement shall become effective immediately following County Board approval.

- C. If any provision, or any portion thereof, contained in this agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the County of Roseau and Brian Ketring have caused this agreement to be signed and executed, both in duplicate, the day and year first above written.

BRIAN KETRING

BY: 
 Brian Ketring
 DATE: 6/3/2015

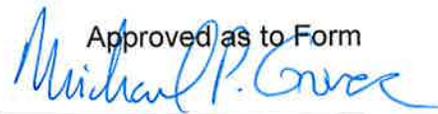
COUNTY OF ROSEAU

BY: 
 Roseau County Board Chair

DATE: 6/2/15

BY: 
 Roseau County Coordinator

DATE: 5/12/15

Approved as to Form

 Asst. Roseau County Attorney



Roseau County Request for Board Action

Agenda Item #: Department Reports 2a <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Coordinator
Subject Title (as it will appear on the Agenda): Pay Grade Revision		Presenter: Jeff Pelowski
		Estimated Amount of Time Needed for Discussion: <input type="checkbox"/> < 5 minutes <input checked="" type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes
Board Action Requested: Requesting Board approval, based upon the recent MRA review/rating determination, to rate the Benefits Administrator/Human Resources Representative position at a Grade 6; and, requesting an effective date of May 19, 2019.		
Background: The relevant background information was presented at the May 7, 2019 Board Work Session.		
Supporting Documentation: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		



Roseau County Request for Board Action

Agenda Item #: County Board 1 <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Coordinator
Subject Title (as it will appear on the Agenda): NW Regional Transportation Coordination Council Appointment	Presenter: Jeff Pelowski	
	Estimated Amount of Time Needed for Discussion: <input checked="" type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes	
Board Action Requested: Consider appointing Glenda Phillipe to the Council.		
Background: As previously discussed at the April 23, 2019 Board meeting, Ms. Phillipe has been attending Council meetings and has volunteered to continue to serve on the Council, but has not been officially appointed by the Board.		
Supporting Documentation: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> None		
Agenda Classification for County Board Meeting:		
<input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input checked="" type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		



Roseau County Request for Board Action

Agenda Item #: County Board 2 <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Attorney
Subject Title (as it will appear on the Agenda): CR139 Culvert – “Findings and Order” Resolution	Presenter: Kristy Kjos	
	Estimated Amount of Time Needed for Discussion: <input checked="" type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes	
Board Action Requested: Consider adoption of the attached Resolution.		
Background: The Board unanimously approved removing the culvert at their April 9, 2019 meeting. The attached Resolution is the documentation supporting that decision.		
Supporting Documentation: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> None		
Agenda Classification for County Board Meeting:		
<input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input checked="" type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		



Board of Commissioners

606 5th Ave. SW, Room #131

Roseau, MN 56751

Phone: 218-463-4248

Fax: 218-463-3252

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

2019-05-02

FINDINGS AND ORDER DIRECTING THE REMOVAL OF AN 18" DIAMETER CULVERT UNDER ROSEAU COUNTY ROAD (CR) 139 NEAR ITS JUNCTION WITH CR 10 (350TH STREET)

WHEREAS, the Roseau County Board of Commissioners (the Board) is the Road Authority for CR 139 and CR 10 under statutes chapters 160, 162 and 163; and

WHEREAS, the Board is also the Drainage Authority for State Ditch (SD) 69 under statutes chapter 103E; and

WHEREAS, in its role as Road Authority, the Board possesses broad discretion to manage its road system for the benefit of the traveling public, including by the installation, alteration and removal of drainage and water management facilities associated with the road system; and

WHEREAS, when exercising its discretion and statutory authority, the Board must have reasonable basis for its actions and account for any damages resulting from its activities; and

WHEREAS, in its role as Drainage Authority for SD 69, the Board must ensure that actions taken related to the road system are consistent with the state drainage code; and

WHEREAS, concerns have been raised related to the Board's prior authorization of the installation of an 18" culvert, at elevation 1027.3' MSL, under CR 139 near its junction with CR 10; and

WHEREAS, the Board has reviewed the facts and circumstances of its prior authorization and has considered all factors influencing whether the culvert should remain.

THEREFORE, based on the record before it, the Board makes and adopts the following findings and order:

Findings

1. The matter of a culvert under CR 139 near its junction with CR 10 first came to the Board on a petition request from the Roseau River Watershed District (RRWD) for the installation of a 36" culvert, in the same location, at elevation 1026' MSL.
2. The purpose of the RRWD's request was to allow an equalization of waters in high water conditions between the subwatershed of Watershed Ditch (WD) 3, east of CR 139, for which the RRWD is the Drainage Authority, and SD 69, west of CR 139, for which the Board is the Drainage Authority.
3. At the time of its request, the RRWD alleged that the equalization of waters was necessary because, in extreme run-off events, local roads, including CR 139, were at risk of overtopping and that there were existing, although limited, inter-watershed flows between WD 3 and SD 69.
4. The Board's Highway Engineer confirmed that CR 139 had overtopped in prior run-off events.

District 1, John Horner - District 2, Jack Swanson, Chair
District 3, Roger Falk, Vice-Chair - District 4, Russell Walker - District 5, Daryl Wicklund

An Equal Opportunity Employer

5. With its request, the RRWD provided a 2008 hydraulic analysis of a 24" culvert at a similar location and elevation.
6. In response to the RRWD's request, the Board hired Houston Engineering to perform an analysis and to evaluate an alternative 18" culvert to be placed at the same location. Houston provided a report dated August 24, 2016. After determining that the culvert, as proposed by the RRWD, would cause substantial downstream damage, the engineering analysis demonstrated that an 18" culvert, placed at a slightly higher elevation (1027.3' MSL), would achieve the desired equalization in most run-off events without endangering downstream properties and infrastructure within the SD 69 watershed.
7. Based on Houston's report, the Board's Highway Engineer recommended denial of the RRWD's request for a 36" culvert and approval of installation of an 18" culvert as described in the report. Further, the Highway Engineer recommended installation of the culvert as a safety improvement to prevent or protect against future overtopping of CR 139.
8. On this basis, the Board approved installation of the culvert and the culvert was installed. However, the culvert was not installed by the RRWD but by the County as a safety improvement to CR 139.
9. Subsequent to the installation of the culvert, landowners in the vicinity of the culvert (both east and west of CR 139) and Corps of Engineers expressed concerns over the installation. Landowners east of CR 139 expressed concerns that the culvert was not adequate to address their concerns over flooding in the WD 3 subwatershed. Landowners west of CR 139 expressed concerns over the possibility of damage to their properties because of additional water flowing west through the culvert into the SD 69 subwatershed. These same landowners expressed concerns over the capacity of SD 69 to handle the additional water and questioned whether the action was necessary to protect CR 139 and the traveling public given the infrequency of overtopping. The Corps of Engineers expressed concerns that the culvert was a modification of the Duxby Levy Project (which incorporates CR 10 into a levy to retain waters from the Roseau River to the north).
10. In response to the landowners' damage concerns, the Board authorized Houston to perform additional analysis. The additional analysis further quantified the difference in downstream flows under both pre- and post-culvert conditions. Again, Houston's analysis concluded that (1) existing drainage infrastructure, including SD 69, was sufficient to carry any additional flow of water; and (2) that there was no measurable damage resulting from the additional flow of water. Houston's analysis did not investigate or address the frequency or likelihood of overtopping of CR 139.
11. The Board determined that the culvert installation did not modify the Duxby Levy – having been built completely outside of the physical Project and not building upon, altering, improving, moving, obstructing or occupying the Project or any of the real property identified and acquired for the Project.
12. The Board also considered and analyzed the installation of a riser pipe on the upstream end of the culvert to an elevation of 1029.9' MSL.
13. The Board further considered the culvert, the various engineering analysis, the concerns of the Corps of Engineers, and took landowner comments at its meeting on Tuesday, April 9, 2019.
14. Of specific concern to the Board was whether the allegations of overtopping of CR 139 were documented and analyzed in order to determine the actual risk of overtopping and the safety impact to infrastructure and the traveling public. The Highway Engineer noted one documented incident of overtopping – in an extreme run-off event. The Highway Engineer further noted that a portion of CR 139 was reconstructed after that incident and no similar overtopping has occurred since.
15. Justification for the original installation of the culvert was to protect against future overtopping of CR 139. However, evidence of the past frequency and future likelihood of overtopping of CR 139 is lacking. The Board finds, therefore, that the basis of its original decision to direct installation of the culvert was speculative or unfounded. The analysis supporting installation of the culvert was lacking, incomplete and of little value in supporting installation of the culvert for the purpose stated. Rather,

the analysis was focused on impacts downstream of the culvert (because of the equalization of water) and not on the overtopping of CR 139.

16. Though it did address the equalization of waters between the WD 3 and SD 69 subwatersheds, installation of the culvert created substantial concerns related to damages or other ill effects downstream of the culvert.
17. The Board has weighed the evidence justifying the culvert and the health, safety and welfare concerns related to the culvert against complaints and concerns raised by adjacent landowners and finds that retaining the culvert cannot be justified.

Based on the foregoing findings, the Board adopts the following:

Order

- A. The existing culvert under CR 139 near its junction with CR 10 shall be removed and the conditions existing prior to its installation shall be restored.
- B. Nothing in this order shall prevent installation of a future culvert should future conditions or analysis, combined with policy considerations, support such an action.

STATE OF MINNESOTA)
) ss
COUNTY OF ROSEAU)

I, Jeff Pelowski, County Coordinator in and for Roseau County, Minnesota, do hereby certify that the foregoing is a true and correct copy of a part of the proceedings adopted by the Roseau County Board of Commissioners on May 14, 2019.

Jeff Pelowski
Roseau County Coordinator



Roseau County Request for Board Action

Agenda Item #: County Board 3 <small>(for office use only)</small>		
Requested Board Date:	May 14, 2019	Originating Department: Coordinator
Subject Title (as it will appear on the Agenda): Commissioner Committee Reports		Presenter: Commissioners
		Estimated Amount of Time Needed for Discussion: <input type="checkbox"/> < 5 minutes <input type="checkbox"/> 5 minutes <input type="checkbox"/> 10 minutes <input type="checkbox"/> 15 minutes <input checked="" type="checkbox"/> 30 minutes <input type="checkbox"/> >30 minutes
Board Action Requested: Commissioners will present their Committee Reports.		
Background:		
Supporting Documentation: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> None		
Agenda Classification for County Board Meeting: <input type="checkbox"/> Delegations/Board Appointments <input type="checkbox"/> Consent Agenda <input type="checkbox"/> Department Reports <input type="checkbox"/> Committee Reports <input checked="" type="checkbox"/> County Board Items <input type="checkbox"/> Other _____		

JACK SWANSON COMMITTEE REPORT

APRIL 24, 2019 - BUILDING COMMITTEE

APRIL 24, 2019 - ROSEAU ECONOMIC DEVELOPMENT AUTHORITY

APRIL 26, 2019 - CITY OF ROSEAU/ MINNESOTA DEPARTMENT OF HEALTH TRAILS TASK FORCE; looked at ways to improve city trail system

APRIL 29, 2019 - E.C.N. PUBLIC SAFETY COMMUNICATIONS CONFERENCE (ST CLOUD); presented on ways to engage elected leaders

APRIL 30, 2019 - E.C.N. PUBLIC SAFETY COMMUNICATIONS CONFERENCE (ST CLOUD); represented NW Emergency Communications Board

MAY 1, 2019 - COMMUNITY JUSTICE COORDINATING COMMITTEE

MAY 2, 2019 - NORTHERN COUNTIES LAND USE COORDINATING BOARD (GRAND RAPIDS); discussion of Waters of the US

MAY 6, 2019 - ROSEAU CITY COUNCIL

MAY 7, 2019 - OPERATIONS COMMITTEE

MAY 7, 2019 - COMMITTEE OF THE WHOLE WORK SESSION

MAY 8, 2019 - NORTHWEST EMERGENCY COMMUNICATIONS BOARD (THIEF RIVER FALLS); attendance rules

MAY 8, 2019 - NACO COMMUNITY, ECONOMIC AND WORKFORCE DEVELOPMENT TELECONFERENCE

MAY 9, 2019 - ASSOCIATION OF MINNESOTA COUNTIES FUTURES TASK FORCE (ST PAUL)

MAY 10, 2019 - ASSOCIATION OF MINNESOTA COUNTIES FUTURES TASK FORCE (ST PAUL)