

# PROCEEDINGS OF THE ROSEAU COUNTY BOARD OF COMMISSIONERS

February 11, 2020

The Board of Commissioners of Roseau County, Minnesota met in the Courthouse in the City of Roseau, Minnesota on Tuesday, February 11, 2020.

## CALL TO ORDER

The meeting was called to order at 8:30 a.m. by Board Chair Roger Falk. The Pledge of Allegiance was recited. Commissioners present were Roger Falk, John Horner, Jack Swanson, Russell Walker and Daryl Wicklund. Others present were Jeff Pelowski, Joleen Kezar, Kristy Kjos, Brian Ketring, Karla Langaas, Daryle Dahl, Torin McCormick, Tracy Halstensgard, Laverne Voll, Caleb Stromquist, JoyAnn Stromquist, Shiphrah Hendrickson, Ray Horner, Nate Dalager, James Whitlow, Loren Horner, Carter Hontvet, Tyson Lovejoy, Jeff Olsen, Jason Braaten, Shawn Harms, Ian Rutkowski, John Hanchek, Gary Ross, Ward Stromquist, and Joy Orvis.

## APPROVAL OF AGENDA

Coordinator Pelowski requested the addition of a Building Maintenance Worker hire and a Custodian/Building Maintenance Worker hire to Department Reports. A motion to approve the amended Agenda was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously.

## COMMENTS AND ANNOUNCEMENTS

Commissioner Swanson received a letter from the Township Officer's Association inquiring if any of the Commissioners would be attending their upcoming Annual Meeting. Commissioner Falk stated that he plans on attending.

## APPROVE BILLS

A motion was made by Commissioner Wicklund, seconded by Commissioner Walker, and carried by a 4 to 0 vote, (Commissioner Horner abstained from voting due to not being able to review the warrants prior to this meeting), to approve the payment of the following warrants:

### Warrants Approved For Payment 1/30/2020 (Warrant #142493-142497)

<u>Vendor Name</u>	<u>Amount</u>
LIFECARE MEDICAL CENTER	32,844.16
ROSEAU CO TREASURER	24,080.00
3 Payments less than 2,000.00	150.27
<b>Final Total:</b>	<b>57,074.43</b>

### Warrants Approved For Payment 2/06/2020 (Warrants #142498-142519)

<u>Vendor Name</u>	<u>Amount</u>
DEARBORN GROUP	3,602.82
GREENBUSH CITY	4,400.00
LIFECARE MEDICAL CENTER	30,000.00
MN DEPT OF FINANCE -TREAS	13,401.77
MN ENERGY RESOURCES	2,278.17
MN JUDICIAL BRANCH	7,213.53
MOTOR VEHICLE DEPUTY REGISTRAR	3,910.50
ROSEAU CO TRAILBLAZERS	31,949.91
WARROAD AMBULANCE & RESCUE SQUAD	30,000.00
13 Payments less than 2,000.00	7,835.20
<b>Final Total:</b>	<b>134,591.90</b>

**Warrants Approved On 2/11/2020 For Payment 2/14/2020 (Warrant #142520-142604)**

<u>Vendor Name</u>	<u>Amount</u>
ALPHA TRAINING & TACTIC LLC	8,418.88
BELTRAMI CO AUDITOR/TREASURER	6,266.58
COULOMBE CONSULTING	4,480.00
HOUSTON ENGINEERING	2,349.50
LITTLE FALLS MACHINE INC	5,785.83
M & R SIGN CO INC	2,489.90
MAR-KIT LANDFILL	39,177.50
MARCO INC	2,685.48
MIDSTATES EQUIPMENT & SUPPLY	18,964.55
POMP'S TIRE SERVICE, INC	3,457.84
POWER PLAN	20,533.94
POWERPHONE INC	2,187.00
ROSEAU CITY	2,756.50
ROSEAU CO HWY DEPT	4,187.01
SEACHANGE	3,204.00
SJOBORG'S INC	2,668.25
SUMMIT FOOD SERVICE-DBA	10,538.68
THE KUSTOM PAINT SHOP	9,898.55
TITAN MACHINERY	59,500.00
UNIVERSITY OF NORTH DAKOTA	3,092.65
WIDSETH SMITH NOLTING	9,420.00
ZUERCHER	12,176.85
63 Payments less than 2,000.00	28,808.75
<b>Final Total:</b>	<b>263,048.24</b>

**DELEGATIONS/BOARD APPOINTMENTS/PUBLIC COMMENTS:**

Cedarbend Township Residents – County Ditch 9 Discussion

Loren Horner, on behalf of the delegation attending the meeting, outlined the problems they are having with County Ditch 9. Engineer Ketring responded to the comments received from Mr. Horner and others in attendance. The outcome of the discussion was to set up a meeting in March 2020, with the Highway Department and a group of affected landowners to review the Ditch 9 system, identify any problems with the system, and to formulate solutions to those problems identified.

**CONSENT AGENDA**

A motion to approve the Consent Agenda was made by Commissioner Horner, seconded by Commissioner Swanson, and carried unanimously. The Board, by adoption of its Consent Agenda, approved the January 28, 2020, Board Proceedings; approved an Application for Exempt Permit for the Roseau/LOW Sportsman's Club; approved an Out-of-State Travel Request for the Veteran Services Officer; approved the Drug & Alcohol Policy Revision; approved the job description update and new rating for the Fiscal Supervisor/Child Support Supervisor position, and approved moving the employee in this position from a Grade 9, Step C to a Grade 10, Step A, effective February 9, 2020; approved the job description update and new rating for the Financial Assistance Supervisor/Office Support Specialist Supervisor position, and approved moving the employee in this position from a Grade 9, Step G to a Grade 10, Step E, effective February 9, 2020; approved establishing the new position of Deputy Assessor – AMA Certified, approved the associated job description, and approved the rating assigned by MRA to this position, (center Grade 8, extended range Grade 9); and, approved the Pay Grade Revision request for the Deputy Assessor (CMA Certified) position from a Grade 6 to a Grade 7, effective February 9, 2020.

## DEPARTMENT REPORTS

### Highway

#### Call for Bids – 2020 Bituminous Projects & a Box Culvert Installation

Engineer Ketring met with the Board to discuss the Bituminous Projects and a Box Culvert Installation scheduled for 2020. Following discussion, a motion was made by Commissioner Walker, seconded by Commissioner Wicklund, and carried unanimously to approve the Call for Bids for these projects. The sealed bids will be opened on March 9, 2020, at 2:00 pm, and the Highway Department will present their recommendations to the Board at the March 10, 2020, Regular Board meeting.

#### 2020 Bridge Program Resolution

Engineer Ketring requested the Board approve the 2020 Bridge Program Resolution as presented. Following discussion, a motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to approve the following Resolution:

2020-02-01

### **2020 BRIDGE PROGRAM RESOLUTION**

**WHEREAS** Roseau County has determined that the following deficient bridges on the CSAH, County Road, and Township bridge systems are a high priority and require replacement or rehabilitation in the next five years and has revised the overall priority list as follows:

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<b>Bridge No.</b>	<b>Road No.</b>	<b>Sufficiency Rating</b>	<b>Engineers Estimate</b>	<b>Proposed Construction Yr.</b>
90658	CR 119	67.8	\$250k	2020
L9283	Twp. Road	*83.9	\$250k	2020
L9057	Twp. Road	*28.2	\$200k	2020
L9285	Twp. Road	37.9	\$250k	2020
68507	CSAH 13	67.0	\$800k	2021
L4439	Twp. Road	73.0	\$225k	2022
L9503	Twp. Road	57.8	\$225k	2022
93984	CR 126	71.4	\$750k	2023
L5986	Twp. Road	71.4	\$700k	2024
93068	CSAH 28	75.1	\$750k	2025
3744	Twp. Road	39.0	\$250k	2025

\* Critical Finding

**WHEREAS** local roads play an essential role in the overall state transportation network and local bridges are the critical component of the local road systems, and

**WHEREAS** State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the townships to proceed with the replacement or rehabilitation of the high priority deficient bridges described above, and

**WHEREAS** Roseau County intends to proceed with replacement or rehabilitation of these bridges as State Transportation Bond Funds become available.

**NOW, THEREFORE, BE IT RESOLVED** Roseau County commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year of notification.

## **SOCIAL SERVICES**

### **Fiscal Supervisor/Child Support Supervisor – Step Increase Request**

Social Services Director Langaas met with the Board to request approval to move the Fiscal Supervisor/Child Support Supervisor from a Grade 10, Step A (\$30.69/hour) to Grade 10, Step C (\$33.15/hour), effective February 9, 2020. Following discussion, a motion to approve the step increase request was made by Commissioner Swanson, seconded by Commissioner Wicklund, and carried unanimously.

## **BUILDING MAINTENANCE**

### **Building Maintenance Worker and Custodial/Building Maintenance Worker Hires**

Coordinator Pelowski, on behalf of the hiring committee, requested the Board approve the hire of Jarod Magnusson for the Building Maintenance Worker position, (Grade 5, Step C), with a start date of March 18, 2020. A motion was made by Commissioner Swanson, seconded by Commissioner Walker, and carried unanimously to approve the hire. He also requested the Board approve the hire of Leah Melgaard for the Custodian/Building Maintenance Worker position, (Grade 3, Step A), with a start date of February 24, 2020. A motion was made by Commissioner Swanson, seconded by Commissioner Wicklund, and carried unanimously to approve the hire.

## **COUNTY BOARD ITEMS**

### **2<sup>nd</sup> Amendment Board Resolution**

The Board discussed the draft Resolution previously discussed/revised at their February 4, 2020, Work Session. Commissioner Walker requested the Board approve the Resolution, which would declare Roseau County a “2<sup>nd</sup> Amendment Dedicated County”. County Attorney Kjos advised the Board not to take any action on this issue until her office is provided with a legal opinion from the Minnesota County Attorney’s Association, which is expected by February 21, 2020. Ms. Kjos noted that should the Board pass this Resolution today, they would be doing so without any legal advice or legal direction. Chair Falk asked those in attendance if they had any input on this issue. A number of residents spoke in favor of adoption of the Resolution. Following discussion, a motion was made by Commissioner Walker, seconded by Commissioner Horner, and carried unanimously to approve the following Resolution:

2020-02-02

### **“SECOND AMENDMENT DEDICATED COUNTY” RESOLUTION**

**WHEREAS**, the Second Amendment of the United States Constitution reads “A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed,” and

**WHEREAS**, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and

**WHEREAS**, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the States, and

**WHEREAS**, the People of Roseau County, Minnesota, derive economic benefit from all safe forms of firearm recreation, hunting, and shooting conducted within Roseau County using all types of firearms allowable under the United States Constitution, and

**WHEREAS**, certain legislation, beyond existing laws to date, that has or may be introduced in the Minnesota legislature in the future, and certain legislation which has or may be introduced in the United States Congress in the future, could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution, and

**WHEREAS**, the Roseau County Board of Commissioners is concerned about the passage of any new legislation containing language which could be interpreted as infringing the rights of the citizens of Roseau County to keep and bear arms, and

**WHEREAS**, the Roseau County Board of Commissioners wishes to express its deep commitment to the rights of all citizens of Roseau County to keep and bear arms, and

**WHEREAS**, the Roseau County Board of Commissioners wishes to express opposition to any law in the future, beyond existing laws to date, that would unconstitutionally restrict the rights of the citizens of Roseau County to keep and bear arms, and

**WHEREAS**, the Roseau County Board of Commissioners wishes to express its intent to stand as a County Dedicated to Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the State of Minnesota, any efforts in the future to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens of Roseau County to keep and bear arms, including through legal action, the power to appropriate public funds, and the right to petition for redress of grievances.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of Roseau County Minnesota:

That the Roseau Board of Commissioners hereby declares Roseau County, Minnesota, as a "Second Amendment Dedicated County", and

That the Roseau Board of Commissioners hereby expresses its intent to uphold the Second Amendment rights of the citizens of Roseau County, Minnesota, and

That the Roseau Board of Commissioners hereby expresses its intent that public funds of the County not be used to restrict the Second Amendment rights of the citizens of Roseau County, or to aid Federal or State agencies in the restriction of said rights, and

That the Roseau Board of Commissioners hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms using such legal means as may be expedient, including, without limitation, court action.

#### Commissioner Committee Reports (January 28, 2020 – February 11, 2020)

Commissioner Falk reported on the following committee(s): Roseau County Farmer/Homemaker Award Meeting; Operations Committee Meeting; County Board Work Session; Roseau River Watershed Board Meeting.

Commissioner Horner reported on the following committee(s): Operations Committee Meeting; County Board Work Session; Roseau County 125<sup>th</sup> Anniversary Committee Meeting; Warroad City Council Meeting.

Commissioner Swanson reported on the following committee(s): Roseau County Farmer/Homemaker Award Meeting; University of Minnesota Extension Citizens Advisory Council; Roseau Economic Development Authority Meeting; Team EPIC Board Meeting; Roseau City Council Meeting; Operations Committee Meeting; County Board Work Session; Northwest Emergency Communications Board Meeting; Association of Minnesota Counties Futures Task Force Meeting; Roseau County 125<sup>th</sup> Anniversary Committee Meeting; Roseau School Board Meeting.

Commissioner Walker reported on the following committee(s): Operations Committee Meeting; County Board Work Session.

Commissioner Wicklund reported on the following committee(s): Northwest Regional Development Commission Meeting; Land of the Dancing Sky Committee Meeting; Soil and Water Conservation District Meeting; Operations Committee Meeting; County Board Work Session.

Upon motion carried, the Board adjourned the Regular meeting at 10:00 a.m. The next Regular meeting of the Board is scheduled for Tuesday, February 25, 2020 at 8:30 a.m.

Attest:

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

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Jeff Pelowski, County Coordinator  
Roseau County, Minnesota

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Roger Falk, Chair  
Board of County Commissioners  
Roseau County, Minnesota