

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
Regular Board Meeting
February 7, 2017 - 9:00 A.M.
Marshall County Boardroom

The Pledge of Allegiance was given.

Commissioner Miller called the regular meeting to order at 9 a.m. with Commissioners Sharon Bring, Kenneth Borowicz, LeRoy Vonasek, Rolland Miller, Gary Kiesow, and Auditor-Treasurer Scott Peters present.

The Board unanimously approved the February 7, 2017 meeting agenda with additions.
M/S/C – Vonasek, Borowicz

The minutes from the January 17, 2017 Regular Board Meeting were approved with corrections by unanimous vote. **M/S/C – Kiesow, Borowicz**

RESOLUTION 02-07-01

BE IT RESOLVED, that after review of the following bills, authorization for payment of the same in the following total amounts, are hereby approved, with a detailed listing kept on file at the Auditor's office.

Auditor Batch

01-20-17	\$ 60,452.36
01-20-17	\$ 1,175.57
01-24-17	\$ 228,952.03
01-27-17	\$ 27,481.62

Commissioner Warrants

02-07-17	\$193,118.08
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M/S/C – Bring, Borowicz

Resolution 02-07-01 was unanimously approved by the Board.

Maintenance Engineer Rodger Haugtvedt addressed the Board to review a fund matching security grant for cameras and panic alarm buttons for the courthouse. The Board unanimously approved to move forward with applying for the Safe and Secure Courthouse Initiative Grant. **M/S/C – Vonasek, Bring**

The Board unanimously approved to move forward with updating the office door locks in the courthouse. **M/S/C – Kiesow, Vonasek**

The following Commissioner/Committee Reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Borowicz	Marshall County Park Board, Buffer Meeting
Bring	Marshall County Park Board, Marshall County Extension Committee, Mar-Kit, MRC, Living at Home Network, Council On Aging, Buffer Meeting
Kiesow	Marshall County Extension Committee, Joint Powers Natural Resource Board
Miller	Employee Benefits, MST Watershed, Buffer Meeting
Vonasek	Mar-Kit, MST Newfolden Project Meeting, MST Watershed

The Board unanimously approved a committee change on the Council on Aging, replacing Carol Benitt with Shirley Inman. **M/S/C – Bring, Vonasek**

County Highway Engineer Lon Aune addressed the Board regarding Highway and Ditch Authority Business.

Marlin Mattson addressed the Board to discuss the alignment of CR 28. Mr. Mattson discussed his wish to erect a building for his business but the County Road is not conducive to this matter. He stated that the road is actually quite dangerous as it is not a straight roadway. Mr. Aune stated that there could be some things done for the sightline, although it does meet the safety standards. Mr. Aune stated he will work with Mr. Mattson for cost effective solutions to this situation.

RESOLUTION 02-07-02

IT IS RESOLVED that Marshall County enter into MnDOT Agreement No. 1027213 with the State of Minnesota, Department of Transportation for the following purposes:

To provide payment by the State to the County or the use of County State Aid Highway No. 9 and No. 21 as a detour route during the contract construction to be performed upon, along and adjacent to Trunk Highway No.. 220 over Polk County Ditch No. 2, 6.9 miles north of East Grand Forks, and over Judicial Ditch No. 75, 5.6 miles South of Alvarado under State Project No. 6017-41 (T.H. 220).

IT IS FURTHER RESOLVED, that the County Board Chair and the County Engineer are authorized to execute the Agreement and any amendments to the Agreement.

M/S/C – Vonasek, Bring

All Commissioners voted in favor of Resolution 02-07-02.

Highway Department Updates

- a. 2017 Proposed Projects
 - i. CSAH 5 Overlay – Stephen to TH 220
 - ii. CSAH 8 Overlay – Newfolden to CSAH 6
 - iii. CSAH 28 Overlay – Newfolden to US 59
 - iv. CSAH 7 Overlay – MN 32 to CSAH 12
 - v. Grading of CR 104 – MN 1 to south county line
 - vi. Mill and Overlay projects in Middle River and Oslo
- b. Employee Replacement. Commissioner Vonasek made a motion that was seconded by Commissioner Bring to allow Mr. Aune to advertise to fill an open highway position. Commissioner Kiesow requested to table this motion until the next meeting.

General Discussion

- a. SWCD/Buffer Meetings – Held January 23 in Grygla, Newfolden, and Argyle
- b. Rinke Noonan Meeting with Roseau County
- c. Rinke Noonan Drainage Conference on February 13 at St. Cloud
- d. Legislative Conference – February 15-17 (includes MRC Meeting)
- e. ADA Transition Plan Training – February 16 in St. Paul
- f. NACE Conference April 9-13. The Board unanimously approved Mr. Aune to attend the out-of-State NACE Conference. **M/S/C – Bring, Borowicz**
- g. A vacation request by Engineer Aune for March 9-17 was unanimously approved by the Board. **M/S/C – Borowicz, Kiesow**
- h. Project work team meeting through the MST Watershed was discussed.

County Ditch 27 – Bill Review

Mr. Aune and the Board discussed State Ditch 2/CD 45, regarding a possible Public Hearing to address possible abandonment of overlapping ditch system. Mr. Aune will bring this back to a future meeting for consideration.

Auditor-Treasurer Scott Peters presented the following in his report:

- 1. Buffer Legislation Resolution Consideration
- 2. Legislative Update
- 3. 2017 Forfeiture Report
- 4. Investment Update
- 5. Feedlot/Veteran Time Discussion

6. Board of Health
7. Revenue Coverage
8. MST Watershed Correspondence regarding Swift Coulee Project Team
9. Consider Appointment Consideration to Red River Valley Development Board. The Board reappointed Curt Haugen to the Red River Valley Development Board by unanimous vote. **M/S/C – Kiesow, Bring**
10. MST Watershed Manager Applicant/Review Consideration – no action taken
11. RBEG Update
12. MCIT Review Information
13. Recorder Coverage Discussion
14. The Marshall County Board of Equalization Meeting is unanimously approved for June 20th, 2017 at 6 p.m at the Marshall County Boardroom. **M/S/C – Kiesow, Vonasek**
15. Valley MedFlight correspondence
16. Fair Grandstand to be built in 2018
17. Legislative Conference Information

RESOLUTION 02-07-03

WHEREAS, Minnesota Legislature has passed MN Statute 103F.48 to develop a statewide program to provide riparian protection through the use of vegetative buffer strips, stating that landowners owning property adjacent to a water body identified and mapped on a buffer protection map must maintain a buffer to protect water resources, and

WHEREAS, this has caused a large number of Marshall County landowners to voice their concerns with this legislation to their local County Commissioners, such as;

- A. Restricting use of land by landowners
- B. Placing unfunded costs to meet these requirements on landowners and in most cases lessening in the value of a landowners property
- C. That there is no substantive proof that by implementing this buffer system that it will improve water quality as is intended
- D. That this legislation violates a landowner’s constitutional rights as to taking land without proper consideration given for the property
- E. That many landowners would accept common sense legislation as to alternative practices for buffer on ditch inlet areas versus an arbitrary buffer along an entire ditch system where water from that area next to the ditch does not drain directly into the ditch system
- F. That in Marshall County alone this will take approximately 5000 acres out of production along the ditch systems alone plus additional undetermined acreage from the river systems
- G. That control over managing and implementation should be solely at the Counties discretion
- I. That the cost to implement this legislation is solely and unfairly placed on the landowners to implement and will cause a financial burden to implement and maintain with future losses from inability to plant desired crops for profit on these acres

THEREFORE BE IT RESOLVED, that the Marshall County Board of Commissioners hereby strongly oppose the current legislation as is stated under MN Statute 103F.48 and request that the Minnesota Legislature, along with Governor Dayton’s support, overturn this legislation or at minimum to modify the current legislation to pay for all costs, present and future, to landowners that are mandated to comply, and to allow for common sense alternative practices for landowners to provide buffers on ditch inlets versus an entire system where it can be shown that the water from those adjacent areas do not drain directly into a ditch system. **M/S/C – Kiesow, Borowicz** This resolution was passed by unanimous vote.

Chairman Miller adjourned the meeting at 12:30 pm.

CHAIRPERSON,
MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER