

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
Regular Board Meeting
July 6, 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 approved the July 6, 2017 meeting agenda with additions. **M/S/C – Vonasek, Kiesow (5,0)**

The minutes from the June 20, 2017 Regular Board Meeting and the June 20, 2017 Board of Equalization minutes were approved with corrections. **M/S/C – Vonasek, Bring (5,0)**

Resident Eric Johnson met with the Board for a MST Watershed Board Applicant Interview.

Employee Benefit Committee members Katie Benson, Pam Hesse, Tyler Olson, Domita Mack, and Scott Peters addressed the Board to provide the 2018 Employee Benefit Proposal.

Matt Fischer, BWSR, and Darren Carlson, SWCD, and County Engineer Lon Aune addressed the Board to discuss Buffer Seeding Funding. The Board approved to enter into a contract with the Marshall County Soil and Water Conservation District on a Buffer Seeding program. **M/S/C – Bring, Borowicz (3,2)** Aye: Borowicz, Vonasek, Bring; Nay; Kiesow, Miller

RESOLUTION 07-06-01

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.

Commissioner Warrants \$173,199.65
M/S/C – Borowicz, Bring (5,0)

County Highway Engineer Lon Aune addressed the Board for Highway and Ditch Authority Issues.

RESOLUTION 07-06-02

WHEREAS, the Marshall County Highway Department proposes to replace Bridge No. L9298 on 370th Ave. NE, with Bridge No. 45J48 known as S.A.P. 045-599-155; located between the South County line and C.S.A.H. 2, between the Northwest Corner of Section Twenty-eight (28), T155N, R39W to a point 300 feet South of the Northwest Corner of Section Twenty-eight (28), T155N, R39W.

WHEREAS, the improvement consists of a bridge replacement of said roadway as herein determined necessary to provide for the safety of the traveling public, and

WHEREAS, in addition to the existing highway easement, certain lands in fee are required to provide for said reconstruction, and

WHEREAS, pursuant to Minnesota Statutes, the Marshall County Highway Department has prepared a right of way plan. The plan will be on file at the Engineers Office at 447 S. Main, Warren, MN 56762 and made part hereof, and which lands will be more particularly described therein as follows: is attached hereto and which lands are more particularly

described therein as follows:

<u>Parcel No.</u>	<u>Name</u>
1 & 2	Robert & Jean Halvorson

NOW THEREFORE BE IT RESOLVED, that the County Board of Commissioners hereby authorize the County Highway Engineer to proceed to acquire the fee simple, absolute and temporary highway easements over said lands in accordance with Minnesota Statutes,

BE IT FURTHER RESOLVED, that those lands as described herein, which cannot be acquired by direct negotiation, shall be acquired by eminent domain and the County hereby requests the County Attorney to file the necessary petition therefore and to prosecute such action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Court. **M/S/C – Kiesow, Vonasek (5,0)**

RESOLUTION 07-06-03

WHEREAS, the Marshall County Highway Department proposes to reconstruct and improve a portion Co. Rd. 100, known as S.P. 045-598-023; located between County Road 144 and C.S.A.H. 10, from a point 1,100 feet east of the Northwest Corner of Section Twenty-five (25), T155N, R50W., to a point 3,500 feet east of the Northwest Corner of Section Twenty-five (25), T155N, R50W.

WHEREAS, the improvement consists of reconstructing and realigning of said roadway as herein determined necessary to provide for the safety of the traveling public, and

WHEREAS, in addition to the existing highway easement, certain lands in fee are required to provide for said reconstruction, and

WHEREAS, pursuant to Minnesota Statutes, the Marshall County Highway Department has prepared a right of way plan which plan is attached hereto and which lands are more particularly described therein as follows:

<u>Parcel No.</u>	<u>Name</u>
1	Jennifer and David Nelson
2	Kristi and Eric Heckelman
3	Donald & Yvonne Nelson etal.
4	Douglas and Kathy Carlson
5	Douglas and Sandra Huderle
6	Jared and Robbyne Sands

NOW THEREFORE BE IT RESOLVED, that the County Board of Commissioners hereby authorize the County Highway Engineer to proceed to acquire the fee simple, absolute and temporary highway easements over said lands in accordance with Minnesota Statutes,

BE IT FURTHER RESOLVED, that those lands as described herein, which cannot be acquired by direct negotiation, shall be acquired by eminent domain and the County hereby requests the County Attorney to file the necessary petition therefore and to prosecute such action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or Court. **M/S/C – Bring, Borowicz (5,0)**

RESOLUTION 07/06/04

BE IT RESOLVED that the County Auditor be authorized to issue warrants for the following right of way easements along County Road No. 104, for the purpose of reconstructing said road. (CP 104:17).

<u>PARCEL NO.</u>	<u>NAME & ADDRESS</u>	<u>Payment</u>
1	Suzane & Micheal Weik 14779 Cable Lake Road, SE Mentor, MN 56736	\$ 3,057.25

	Mary Anne Hamm 708 Reserve Ave. Thief River Falls, MN 56701	\$ 3,057.25
2	NELD Johnson Farms LLLP 21339 370 th Ave. NW Warren, MN 56762	\$ 1,861.50
3	Township of Boxville 21225 370 th Ave. NW Warren, MN 56762	\$ 328.50
4	Neil & Diane Johnson 21339 370 th Ave. NW Warren, MN 56762	\$ 2,701.00
5	James & Shirley Johnson 37254 State Highway 1 NW Warren, MN 56762	\$3,139.00
6	James & Sonia Swenson C/O Michael Swenson 25-76 36 th St. Apt. 1R Astoria, NY 11103	\$7,465.00
7	LSP Howard LLC C/O Leslie Howard 3501 Norkota Court Grand Forks, ND 58201	\$ 6,877.50
8	Eric Johnson et al 37188 State Hwy. 1 N Warren, MN 56762	\$ 2,598.50
8A	Jordan & Brooke Johnson 21502 370 th Ave. NW Warren, MN 56762	\$ 2,598.50
9	LSP Howard LLC C/O Leslie Howard 3501 Norkota Court Grand Forks, ND 58201	\$ 3,244.50

M/S/C – Vonasek, Bring (5,0)

RESOLUTION 07-06-05

WHEREAS, Marshall County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 45J36; and WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS the amount of the grant has been determined to be \$55,165.00 by reason of the lowest responsible bid;

NOW THEREFORE, Be it resolved that Marshall County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds that estimate, and will return to Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The County Board Chairman and the County Engineer are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above referenced grant. **M/S/C – Borowicz, Bring (5,0)**

RESOLUTION 07-06-06

WHEREAS, the Engineer in charge has filed his final certificate setting forth that the Contractor on SAP 045-599-149 has completed the contract in accordance with plans and specifications and the total cost of said job was \$277,658.50 and the balance due to the Contractor is \$20,200.43.

NOW THEREFORE, BE IT RESOLVED that said certificate be and the same is hereby approved and the County Auditor is hereby authorized to issue a warrant on the Road & Bridge Fund in the amount of \$20,200.43 to Davidson Construction, Inc. **M/S/C – Borowicz, Vonasek (5,0)**

RESOLUTION 07-06-07

BE IT RESOLVED, that the County Auditor be authorized to call for bids for:

SAP 045-599-155 – Bridge Replacement with 2 lines 12' x 10' Precast Concrete Box Culverts on Twp Road 405 in Espelie Township.

BE IT FURTHER RESOLVED, that the County Auditor be authorized to set the time and date for receiving bids to comply with existing publication laws. **M/S/C – Kiesow, Vonasek (5,0)**

RESOLUTION 07-06-08

BE IT RESOLVED, that the County Auditor be authorized to call for bids for:

SAP 045-598-024 – Culvert replacement on CR 144 over Judicial Ditch 16

BE IT FURTHER RESOLVED, that the County Auditor be authorized to set the time and date for receiving bids to comply with existing publication laws. **M/S/C – Borowicz, Bring (5,0)**

Mr. Aune provided updates on the following;

1. Middle River Road Project SAP 045-060-004
2. Cattail Maps were handed out
3. Calcium Chloride Update
4. JD 19 agreement with Roseau County was reviewed

The Board reviewed Marshall County Park employee salaries and approved to adjust as proposed by the Park Board, retroactive to the beginning of this season, with a list on file at the Auditor's office. **M/S/C – Bring, Borowicz (5,0)**

The Board approved the County Park cancellation policy. **M/S/C – Bring, Kiesow (5,0)**

The Board accepted Park Board resignations from Brad Johnson and Nick Poss and approved appointment of Jeff Kroll and Brandon Tougas to fill the vacancies on the Park Board. **M/S/C – Bring, Vonasek (5,0)**

The Board discussed MST Watershed Board Manager Positions. The Board approved to appoint Bill Peterson to the MST Watershed Board. **M/S/C – Bring, Vonasek (5,0)** The Board approved to appoint Eric Johnson to the MST Watershed Board. **M/S/C – Miller, Kiesow (3,2)** Aye; Miller, Vonasek, Kiesow. Nay; Borowicz, Bring The Commissioners thanked all applicants for their willingness to serve.

The Board considered the following Recorder Appointment Resolution:

RESOLUTION 07-06-09

WHEREAS; the Laws of Minnesota 2017, Chapter 92, Article 3, Section 5, grants to the Marshall County Board of Commissioners authority to make appointive the office of Marshall County Recorder, pursuant to the conditions set forth in said legislation;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of

Marshall County shall provide an opportunity for public comment relating to this issue at its regularly scheduled meeting on August 15, 2017 at 9:00 a.m. and at a special board meeting on August 15, 2017 at 6:00 p.m. in the Marshall County Boardroom in Warren, Minnesota.
M/S/C – Bring, Kiesow (5,0)

The 2018 Budget was reviewed. Departments will be bringing in proposals over the next meetings with the proposed 2018 levy to be considered by September 19, 2017.

Auditor-Treasurer Peters presented the following items for his report:

1. Ditch Report through June
2. County Program Aid Discussion – 2018 Aid will increase by \$350,000.
3. Enbridge Impact Review – July 17th meeting correspondence with the 13 affected Counties
4. Office Update
5. Forfeited Tax Update
6. The 2016 Audit Exit Interview by Brady Martz is scheduled for July 18, 2017 at 10:30 a.m.
7. Resiliency Training Correspondence is set for August 2, 2017 for all County Employees.

The following Commissioner/Committee Reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Kiesow	Joint Powers Natural Resource Board, One Watershed One Plan Meeting
Miller	One Watershed One Plan Meeting, Historical Society Veterans War Room Dedication, honoring Veterans of the County
Vonasek	MST Watershed, Northwest Mental Health

The Board approved the following Employee Benefit Package for 2018;

1. Cost of Living Adjustment - \$.50 per hour
2. Family Insurance Adjustment – increase by \$100 per month
3. Deferred Compensation Contribution Match – increase by \$5/pay period
4. Exceptional Service Pay – increase levels by \$5/pay period

M/S/C – Bring, Vonasek (4,1) Aye; Bring, Miller, Vonasek, Kiesow. Nay; Borowicz

Chairman Miller adjourned the meeting at 1:40 pm.

CHAIRPERSON,
MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER