

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
July 7, 2015 - 9:00 A.M. Regular Board Meeting
Marshall County Boardroom
July 7, 2015 – 1 P.M. Special Board Meeting
Ericco Manufacturing

The Pledge of Allegiance was given.

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

Environmental Services Administrator Josh Johnston introduced the new Environmental Service Technician Scott Jorgenson to the Board.

The Board approved the July 2, 2015 meeting agenda with additions. **M/S/C – Vonasek, Kiesow**

Red Lake Watershed Administrator Myron Jesme and Board Manager LeRoy Ose addressed the Board to present the 2014 Annual Report. Work on State Ditch 83 was the major project in Marshall County for the year. The watershed had a good overall year in 2014 and will emphasize water quality issues in 2015.

Kristi Hanson from the Northwest Regional Library addressed the Board to review the 2016 Budget. The Library is requesting a 3% increase for 2016. Ms. Hanson indicated the Warren Library is very well utilized and commended staff at that site. She also informed the Board that the Grygla site has adjusted its operation and is seeing increased usage.

The minutes from the June 16, 2015 Regular Board Meeting and Board of Equalization Meeting were approved with corrections. **M/S/C – Vonasek, Bring**

Linda Gornowicz and Francis Tougas addressed the Board to discuss the Safe Community Coalition Grant and proposed Social Host Ordinance. Sheriff Boman was also present for this meeting. This proposed ordinance would target underage drinking. The Board will review the data presented.

Tracee Bruggeman from Brady Martz and Associates addressed the Board to provide a 2014 Audit Exit Interview. Auditor/Treasurer employees Renae Yutzenka and Jackie Maurstad were present for this report. Ms. Bruggeman thanked the County for the opportunity to audit County funds and also thanked all county personnel who assisted with providing information for the audit. Fund reserves have softened in 2014 for most departments as was budgeted, but, with one exception, are still within County goals of achieving 35 – 50% year end reserves in relation to yearly fund expenditures. Ms. Bruggeman is recommending that the County still work toward obtaining some collection on past due amounts from the State on ditch funds, and to monitor fund reserve balances to achieve and stay within County goals.

County Engineer Lon Aune and Assistant Engineer Rodney Teigen addressed the Board and opened bids on SAP 045-599-146 and SAP 045-598-015 as follows;

SAP 045-598-015 Bridge on CR 130 in Agder Township

Davidson Construction	\$117,820
Taggart Excavating	\$135,716
Gladen Construction	\$123,104
Spruce Valley Corp	\$153,739.50
Olson Construction	\$109,880

SAP 045-599-146 Bridge replacement on County Ditch 13 on Township Road 60 in Bloomer Township

Taggart Excavating	\$103,388.50
Davidson Construction	\$100,430
Gladen Construction	\$110,431.50
Spruce Valley Corp	\$121,170
Olson Construction	\$91,228

The bids will be tabulated and final resolutions will be presented later in the day for consideration for acceptance of the bids.

RESOLUTION 07-07-01

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

SAP 045-605-024 – Bridge Replacement on CSAH 5, Nelson Park Twp

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, Miller**

RESOLUTION 07-07-02

WHEREAS, the City of Argyle applied for federal funding for the purposes of their Safe Routes to School Pedestrian Project,

WHEREAS, Marshall County is acting as the fiscal agent to receive the federal funds to pay for this project,

WHEREAS, on June 8, 2015, bids were received by the City of Argyle and awarded on July 6, 2015,

BE IT RESOLVED, that Marshall County, acting as fiscal agent for the City of Argyle will move forward to accept the following bids for SP 045-591-002, City of Argyle, MN Safe Routes to School:

Paras Contracting Inc	\$272,242.25
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NOW THEREFORE BE IT RESOLVED that the base bid of Paras Contracting Inc., in the amount of \$272,242.25 be accepted, contingent upon Disadvantaged Business Enterprise (DBE) approval from the State of Minnesota Department of Transportation Equal Employment Opportunity Office. **M/S/C – Miller, Vonasek**

RESOLUTION 07-07-03

IT IS RESOLVED that Marshall County enter into MnDOT Agreement No. 1000596 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the State’s share of the costs of the concrete sidewalk, curb and gutter, bituminous patching, lighting, crosswalk flasher construction, and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 89 from 6th Avenue to County State Aid Highway No. 54 and Fladland Avenue to 192 feet north of Trunk Highway No. 89 within the corporate limits of the City of Grygla State Project No. 045-591-004 and State Project No. 4508-33.

IT IS FURTHER RESOLVED that the County Board Chair and the County Auditor/Treasurer are authorized to execute the Agreement and any amendments to the Agreement. **M/S/C – Kiesow, Bring**

Mr. Aune provided summer project updates to the Board. Most are moving along ok and he will be pursuing a few additional projects.

The Board approved to move forward with a grading and aggregate resurface project on County Road 117 between State Highways 32 and 59. **M/S/C – Bring, Kiesow**

Middle Snake Tamarac Watershed Administrator Dan Omdahl provided a State Ditch 90 update to the Board regarding permitting.

Veteran Service Officers Wayne Kilen and Brett Brandon addressed the Board to provide a service and program update. A request for funds to assist with the costs with the 2nd Annual Disabled Veterans Goose Hunt was approved for \$500. **M/S/C – Bring, Vonasek**

Assistant County Engineer brought forth the following resolutions to the Board for consideration.

RESOLUTION 07-07-04

BE IT RESOLVED, that pursuant to advertisement for bids for SAP 045-599-146, Bridge Replacement, on Township Road 60, the following bids were received:

Olson Construction TRF Inc.	\$91,228.00
Davidson Construction	\$100,430.00
Taggart Contracting Inc	\$103,388.50

NOW THEREFORE BE IT RESOLVED that the bid of Olson Construction TRF Inc. in the amount of \$91,228.00 be accepted. **M/S/C – Miller, Kiesow**

RESOLUTION 07-07-05

BE IT RESOLVED, that pursuant to advertisement for bids for SAP 045-598-015, Bridge Replacement, on County Road 120, the following bids were received:

Olson Construction TRF Inc.	\$109,880.00
Davidson Construction	\$117,820.00
Gladen Construction Inc.	\$123,104.00

NOW THEREFOE BE IT RESOLVED that the bid of Olson Construction TRF Inc. in the amount of \$109,880.00 be accepted. **M/S/C – Kiesow, Miller**

RESOLUTION 07-07-06

WHEREAS, the County of Marshall has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the reconstruction of County Bridge No. 45J18, 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 \$92,770.00 by reason of 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 the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. **M/S/C – Vonasek, Bring**

DNR Regional representatives Keith Mykleseth and Greg Nelson met with and informed the Board that DNR Commissioner Tom Landweier will be present at 4 pm at the July 21st Marshall County Board meeting for an open conversation between the DNR Commissioner and the County Board. Mr. Nelson welcomed any items that the Board will desire to discuss.

The Board recessed for lunch at 12:00 pm and for a special meeting 1:00 pm at Ericco Manufacturing.

Board Chair Borowicz opened the Special Meeting at Ericco Manufacturing at 1:00 pm. The Board toured the facility. Chairman Borowicz closed the Special Meeting at 2:50 pm.

Chairman Borowicz reopened the regular meeting at 3:15 p.m.

The following Commissioner/Committee Reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Borowicz	Extension Committee
Bring	Extension Committee, Park Board
Kiesow	NWRDC, Northwest Community Action
Miller	MST Watershed, Law Library Board
Vonasek	MST Watershed

RESOLUTION 07-07-07

Commissioner Warrants \$245,759.53

M/S/C – Kiesow, Vonasek

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

1. MST Watershed Applicant Review
2. Ditch Report through June
3. 2015 Budget Review
4. County Program Aid Discussion
5. Ditch Buffer Discussion
6. Top 200 Taxpayer List

The meeting was recessed by Chairman Borowicz until 8 am on July 14 to review 2016 departmental budgets and other items.

The recessed meeting was later cancelled due to posting time line requirements.

CHAIRPERSON,
MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
July 21, 2015 9:00 A.M.
Marshall County Boardroom

The Pledge of Allegiance was given.

Chairperson Borowicz called the meeting to order with the following present: Commissioners Sharon Bring, Ken Borowicz, Gary Kiesow, LeRoy Vonasek, Rolland Miller, and Auditor-Treasurer Scott Peters.

The July 21, 2015 meeting agenda was approved with additions. **M/S/C – Bring, Vonasek**

The Board approved the July 7, 2015 meeting minutes with corrections. **M/S/C – Bring, Kiesow**

RESOLUTION 07-21-01

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 Warrants

July 10, 2015	\$70,351.08
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Commissioner Warrants

\$325,479.32

M/S/C – Miller, Vonasek

RESOLUTION 07-21-02

PER DIEMS

Sharon Bring	\$360.00
Kenneth Borowicz	\$180.00
Gary Kiesow	\$240.00
Rolland Miller	\$180.00
LeRoy Vonasek	\$120.00
Darlene Bates	\$120.00
Total	\$1200.00

M/S/C – Miller, Bring

Tammy Frolich, Director of the Retired Senior Volunteer Program (RSVP), addressed the Board to discuss various aspects of this program.

Social Services Director Chris Kujava and Fiscal Supervisor Jeff Radeke addressed the Board.

General Business

Mr. Kujava provided updates on a Child Protection Grant and a Fiscal Sanction Letter.

Personnel

The Board approved to hire Trevis Knutson as a Social Worker Trainee. **M/S/C - Bring, Vonasek**

The Board approved to adjust Stacy Urbaniak to fulltime status as Case Aid. **M/S/C – Miller, Vonasek**

Director's Administrative Report

The proposed 2016 Social Services Budget was reviewed.

Authorizations

Case Activity, Bills, and Director Actions received Board approval. **M/S/C – Bring, Vonasek**

The Board met with the Employee Benefit Committee members Lon Aune, Dave Clark, Tammy Johnson, and Katie Benson to review the proposed 2016 Benefit recommendations and correspondence on feedback from county employees regarding the same.

County Assessor Russ Steer presented the proposed 2016 Assessor and Revenue Car Budgets.

Highway Engineer Lon Aune, Assistant Highway Engineer Rod Teigen and Fiscal Supervisor Dave Lansing addressed the Board.

Bids were opened for project SAP 45-592-001, a road pavement project by Markit Elevator as follows:

Minn-Dak Asphalt	\$119,485.60
Knife river Materials	\$128,489.58

Bids were opened for project SAP 45-613-004, an overlay project on County Road 13 for 4 miles east of Stephen.

Minn-Dak Asphalt	\$535,985.67
Knife River Materials	\$479,377.97

The Highway Department will tabulate the bids and return with a resolution of acceptance for the Board to consider.

RESOLUTION 07-21-03

BE IT RESOLVED, that pursuant to Minnesota Statute Section 161.36, the Commissioner of Transportation be appointed as Agent to the County of Marshall to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the County Board Chairman and the County Auditor/Treasurer are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 005767", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

M/S/C – Miller, Kiesow

RESOLUTION 07-21-04

BE IT RESOLVED that the County Auditor be authorized to issue warrants for the following right of way easements along C.S.A.H. 5 located between TH 220 and TH 75, between the NW Corner of Section Three (3), T157N, R50W to 1,791.09 feet East of the North ¼ Corner of Section Five (5), T157N, R48W, for the purpose of reconstructing said road (State Aid Project 045-605-023).

<u>PARCEL NO.</u>	<u>NAME & ADDRESS</u>	<u>Payment</u>
1& 2	Chad & Sadie Woinarowicz PO Box 172 Oslo, MN 56744	\$5,078.00
3& 6	Mark & Kimberly Anderson PO Box 34 Stephen, MN 56757	\$627.50
4	Donna Mae Anderson et al. 207 2 nd St. Stephen, MN 56757	\$235.00

5 & 38	Violet Halfmann et al. 900 Lincoln Ave. Stephen, MN 56757	\$4,680.50
7	Arlan Anderson 2446 S. 38 th St. Grand Forks, ND 58201	\$2,345.00
	Harry Anderson – Life Estate	
8	Wallace Eftefield 3688 Hwy. 7 Iron, MN 55751	\$1,430.34
	Lynn Morson 32 E. Belvedere St. Paul, MN 55107	\$1,430.33
	Dorren & Robert Arlandson 10025 47 th Ave. N Plymouth, MN 55442	\$1,430.33
9 & 41	Patricia Smidt 415 S. Spruce Thief River Falls, MN 56701	\$2,851.34
	Janelle & Patrick Duncan 304 West Oakes Dr. Ashland, MO 65010	\$2,851.33
	Gregory & Shannon Smidt 1225 20 th Ave. SE East Grand Forks, MN 56721	\$2,851.33
10	Kenneth & Sandra Kuznia P.O. Box 101 Stephen, MN 56757	\$4,106.00
11	J. Myron & Lois Larson 414 Crestwood Ct. SE East Grand Forks, MN 56721	\$3,707.00
	Janelle & Elvis Sire 5506 104 th PL. SW Mukilteo, WA 98275	
12	Metro Dispatch Inc. 403 James Ave. SE East Grand Forks, MN 56721	\$396.50
13	Marian Bates et al. 43604 400 th St. NW Stephen, MN 56757	\$1,991.00
14	Timothy & Darlene Bates P.O. Box 302 Stephen, MN 56757	\$1,326.00
19 & 20	William & Donna Field	\$478.50

	38177 400 th St. NW Stephen, MN 56757	
21	Ted Jr. Hanson & Claudia Knudson 44460 170 th Ave NW Karlstad, MN 56732	\$152.50
23 & 24	James & Deborah Avery 14848 Canton Court Naples, FL 34114	\$1,114.50
26	Scott Field 38177 390 th St. NW Stephen, MN 56757	\$551.50
	John & Shanna Field 5679 W. Prairewwod Dr. Grand Forks, ND 58201	\$551.50
27 & 49	Jeffrey Field 38326 390 th St. NW Stephen, MN 56757	\$2,030.50
28	Glen & Tanya Bergeron 41997 340 th St. NW Argyle, MN 56713	\$2,677.00
29 & 30	Bruce & Aase Hamnes P.O. Box 357 Stephen, MN 56757	\$533.00
32	J.R. Simplot Company P.O. Box 27 Boise, ID 83707	\$117.50
34	Davis Woinarowicz 110 North 5th Drayton, ND 58225	\$490.00
	Jason & Kari Woinarowicz St. 207 S. 5th Drayton, ND 58225	\$490.00
	Todd & Nancy Woinarowicz PO Box 328 Drayton, ND 58225	\$490.00
	Kent & Michelle Woinarowicz 707 5 th St. N Warren, MN 56762	\$490.00
	Terry & Deanna Woinarowicz PO Box 281 Stephen, MN 56757	\$490.00
35	Michael & Judy Stellan 16041 County Rd. 3 Drayton, ND 58225	\$2,520.00
36	Dwayne & Sandra Rud	\$2,643.50

	P.O. Box 103 Stephen, MN 56757	
37	Jeremy Erickson 7899 Tyler St. NE Spring Lake Park, MN 55432	\$3,453.50
39	Louis & Lanae Cater 39499 130 th Ave. NE Middle River, MN 56737	\$511.50
40	Larry & Juanita Eftefield 624 W. Singing Woods Rd. Edelstien, IL 61526	\$3,628.50
42	James Teske 1482 Roundhouse Circle Shakopee, MN 55379	\$2,536.00
	David Teske 4630 S. Kirkman Rd. #442 Orlando, FL 32811	\$2536.00
43	Thomas & ViAnn Bates 1717 33 ½ St. S. Moorehead, MN 56560	\$1,838.50
44	John & Holly Kowalski 38983 430 th Ave. NW Stephen, MN 56757	\$1,838.50
45	Joyce Nelson et al P.O. Box 415 Stephen, MN 56757	\$1,067.50
48	Robert Hendricks C/O Brian Hendricks P.O. Box 353 Stephen, MN 56757	\$2,316.00
	R Duane Hendricks 6207 Lloyd Cresent SW Calgary, AB T3E5V8 Canada	
50	Sheldon & Rita Benson 11266 Balsam Ave. Hesperia, CA 92345	\$1,020.00
52	Stephen Economic Development Authority PO Box 630 Stephen, MN 56757	\$320.00
53	Stephen Cemetery PO Box 630 Stephen, MN 56757	\$642.00
55	D & D Commodities Ltd. PO Box 359 Stephen, MN 56757	\$25.00

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Larson Ag. Inc.
PO Box 139
Stephen, MN 56757

\$57.50

M/S/C – Borowicz, Bring

RESOLUTION 07-21-05

BE IT RESOLVED that the County Auditor be authorized to issue a warrant for a right of way easement along CSAH 1 and CSAH 6 located along the Southeast Corner of Section , T.157N, R.46W., for the purpose of maintaining the ditch along said road.

PARCEL NO.	NAME & ADDRESS	PAYMENT
1	Kenneth & Arnette Borowicz P.O. Box 344 Stephen, MN 56767	\$570.00

Loretta Borowicz

M/S/C – Bring, Vonasek

Commissioner Borowicz abstained from voting on this resolution.

The Board reviewed the proposed 2016 Highway Budget.

The Board approved to move forward with siding of the highway shop and to purchase a tar kettle. **M/S/C – Vonasek, Bring**

The Board recessed the regular board meeting and opened the Ditch Authority meeting. **M/S/C – Vonasek, Kiesow**

The Board closed the Ditch Authority meeting and reopened the regular board meeting. **M/S/C –**

The Board conducted interviews with Roger Mischel and David Bakke for the Marshall Snake Tamarac Watershed Manager positions. The Board approved the appointment of Roger Mischel and David Bakke for a 3 year term as a Board Manager for the Middle Snake Tamarac Watershed District for a three year term. **M/S/C – Bring, Vonasek**

The Board recessed the regular board meeting and opened the Ditch Authority meeting. **M/S/C – Bring, Miller**

Engineer Lon Aune met with the Board and received approval to clean 2.5 miles of County Ditch 44, Lateral 3, as shown in the County Plat Book, on the south side of sections 16 and 17 in Oak Park Township. **M/S/C – Miller, Kiesow**

The Board approved to clean 2.5 miles of County Ditch 44, Lateral 4, as shown in the County Plat Book, on the south side of sections 8 and 9 in Oak Park Township. **M/S/C – Miller, Vonasek**

Concerns with cattails along County Road 28 were discussed.

Mr. Aune reported on information from a meeting in Polk County presented by Attorney Kurt Dieter regarding the newly passed buffer legislation this last session. The Board will meet on this matter further with Attorney Don Aandal to best understand the implications this will have on the County and its residents. Further discussion and/or open meetings with affected persons will be considered for the future.

Mr. Aune informed the Board on landowner concerns regarding a proposed ditch cleaning project on County Ditch 7. Mr. Aune will consult with Attorney Aandal on how to move forward correctly.

Mr. Aune indicated that the process for adding persons to the State Ditch 90 system is moving along, but is a slow process.

The Board closed the Ditch Authority meeting and reopened the regular board meeting.
M/S/C – Bring, Kiesow

RESOLUTION 07-21-06

BE IT RESOLVED, that pursuant to advertisement for bids for SP 045-592-001, Bituminous Pavement, on Twp Road 330th ST NW between 270th AVE NW and T.H.75, the following bids were received:

Minn-Dak Asphalt, Inc.	\$119,485.60
Knife River Materials	\$128,489.58

NOW THEREFORE BE IT RESOLVED that the bid of Minn-Dak Asphalt, Inc. in the amount of \$119,485.60 be accepted. **M/S/C – Bring, Vonasek**

Commissioner Miller abstained from voting on this resolution.

RESOLUTION 07-21-07

BE IT RESOLVED, that pursuant to advertisement for bids for SAP 045-613-004, Bituminous Pavement Overlay, on CSAH 13 between CSAH 5 and North County Line, the following bids were received:

Knife River Materials	\$479,377.97
Minn-Dak Asphalt, Inc.	\$535,985.67

NOW THEREFORE BE IT RESOLVED that the bid of Knife River Materials in the amount of \$479,377.97 be accepted. **M/S/C – Borowicz, Bring**

Auditor - Treasurer Peters covered the following items in his report:

1. 2016 Budget Review
2. 5-year Financial Report
3. Correspondence on Enbridge meeting
4. County Program Aid meeting update
5. 2015 Payment in Lieu of Taxes Report
6. Ericco Thank You Letter
7. Social Host Ordinance Discussion

County Recorder Bev Lydeen addressed the Board to review the proposed 2016 Recorder Budget. Ms. Lydeen provided a Recorders Compliance Fund report to the Board. A Recorder Equipment Fund report was shared by Recorder Lydeen.

County Sheriff Jason Boman and Jail Administrator James Duckstad reviewed the proposed 2016 Sheriff's Budget with the Board.

Dr. Sens, County Coroner, addressed the Board to update the Board on recent Pathology Law changes regarding the right to perform an autopsy, notifications, and costs. Ms. Sens indicated that the number of cremations has increased in recent year. Ms. Sens provided an informational pamphlet regarding the Medical Examination process.

County Attorney Don Aandal reviewed the proposed 2016 County Attorney and Law Library Budgets with the Board.

The following Commissioner/Committee reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Borowicz	Markit, Marshall County Park, Quin
Miller	Water Resource Advisory Committee, Buffer Law Meeting, MST Watershed
Vonasek	NW Mental Health, Markit

Bring
Kiesow

Markit, Marshall County Park
Water Resource Advisory Committee

Environmental Services Administrator Josh Johnston addressed the Board to consider the 2016 Environmental Services Departmental Budgets.

Extension Educator Howard Person reviewed the proposed 2016 Extension and Ag Inspector Budgets with the Board.

DNR Commissioner Tom Landwehr addressed the Board for an open discussion. Also present for this discussion was DNR Regional Director Greg Nelson, Regional DNR Manager Keith Mykleseth, Highway Engineer Lon Aune and MST Watershed Administrator Dan Omdahl. Many topics were covered including; beaver trapping, ATV limitations on WMA land, trail enhancements and usage, trail head building project information, highway project ditch maintenance issues, PILT legislation, Con Con ditch payments, ditch buffer legislation information, Aquatic Invasive Species plans, wolf and elk concerns and deer population increases.

Chairperson Borowicz adjourned the meeting at 4:55 p.m.

CHAIRPERSON,
MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER