

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
February 16, 2016 9:00 A.M.
Marshall County Boardroom

The Pledge of Allegiance was given.

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

The Board unanimously approved the February 16, 2016 meeting agenda with additions. **M/S/C – Bring, Vonasek**

The minutes from the February 2, 2016 meeting were unanimously approved with corrections. **M/S/C – Borowicz, Vonasek**

RESOLUTION 02-16-01

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

February 5, 2016	\$1,009,806.00
February 5, 2016	\$11,544.76
February 5, 2016	\$14,822.72

Commissioner Warrants

\$112,459.08

M/S/C – Borowicz, Bring

All Commissioners voted in favor of resolution 02-16-01.

Sheriff Boman met with the Board to review the ARMER Radio Participation Plan and in squad computer systems with the Board. A Board motion to move forward and purchase 10 in squad computers for the Sheriff's department failed. **M/S/F – Bring, Miller** The Commissioners voted as follows on the above failed motion; Aye – Bring Miller, Nay – Vonasek, Borowicz, and Kiesow. The Board asked for additional information regarding this purchase and asked that this be brought back for consideration at a later meeting. Sheriff Boman informed the Board that the new replacement vehicles this year will be pickups versus cars as they will be more functional for the Sheriff's Office.

RESOLUTION 02-16-02

PER DIEMS

Kenneth Borowicz	\$60.00
Sharon Bring	\$120.00
Gary Kiesow	\$120.00
LeRoy Vonasek	\$180.00
Rolland Miller	\$240.00
Domita Mack	\$180.00
Total	\$900.00

M/S/C – Bring, Borowicz

Resolution 02-16-02 received unanimous approval from the Board.

Social Services Director Chris Kujava met with the Board.

General Business

Mr. Kujava introduced new employee Lisa Sillanpaa to the Board. The Board welcomed Ms. Sillanpaa to County Employment and wished her well.

A Data Privacy Signature was obtained from Commissioner Miller.

Garage frost issues were discussed.

Personnel

The Board unanimously approved appointment of Julie Hallie as Part time Child Support Officer, effective 2/23/16. **M/S/C – Borowicz, Miller**

Licensing and Contracts

The Northwest Mental Health Contract was unanimously approved by the Commissioners. **M/S/C – Bring, Vonasek**

Director’s Administrative Report

The 2015 Quarterly, Out of Home Placement, and SEAGR Reports were reviewed by the Board.

A modified Social Services Merit System Pay Scale was reviewed by Director Kujava. Mr. Kujava requested that this scale be accepted and approved by the Board. The Board took no action on this proposal at this time and would like to review salary and/or scale negotiations during budgeting in July.

Authorizations

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

County Engineer Lon Aune met with the Board.

RESOLUTION 02-16-03

AUTHORIZATION FOR ACQUISITION FOR HIGHWAY PURPOSES

WHEREAS, the Marshall County Highway Department proposes to reconstruct and improve a portion of County Road No. 104, known as C.P. 104:17; located between the South Line of Marshall County and T.H. 1, from a point at or near the Southwest Corner of the Northwest Quarter (NW1/4) of Section Nine (9), T154N, R48W., to a point at or near the Northwest Corner of Section Four (4), T154N, R48W.

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 & 3	Joyce Howard – life Estate and LPS Howard LLC
2	LPS Howard LLC – Owner
	Eric Johnson, Jordan Johnson, & Justin Johnson – C.D.
4	James P. Swenson Revocable Trust
5	James and Shirley Johnson
6	Neil and Diane Johnson
7	Township of Boxville
8	NELD Johnson Farms LLLP
9	David Horgen – Life Estate, Suzanne Weik, & Mary Anne Hamm

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 – Miller, Vonasek**
All Commissioners voted in favor of resolution 02-16-03.

RESOLUTION 02-16-04

WHEREAS, the Marshall County Highway Department proposes to reconstruct and improve a portion of 220th Ave. NW, known as S.A.P. 045-592-002; located between the South Line of Marshall County and T.H. 1, from a point at or near the Southwest Corner of Section One (1), T154N, R46W., to a point at or near the Northwest Corner of the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section One (1), T154N, R46W.

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	Ronald Swanson
2	Marilyn Bennet
	Loren Zutz and Ronnie Zutz
4	Amie and Maria Bergeron

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, Vonasek**
All Commissioners voted in favor of resolution 02-16-04.

Mr. Aune shared information from a conference regarding Ditch Buffers and Wetland Legislation he attended.

The Board unanimously approved to recess the Regular Meeting and open the Ditch Authority Meeting.

M/S/C - Miller/Borowicz

A Ditch Cleaning request on CD 23 from CR 8 across Highway 59 was considered and unanimously approved to be completed as needed. **M/S/C – Bring, Borowicz**

Chairman Kiesow closed the Ditch Authority Meeting and reconvened the Regular Meeting.

The Board gave unanimous approval to a time off request for Engineer Aune from May 19-30th. **M/S/C – Bring, Vonasek**

The Board discussed concerns with insurance coverage and support provided by Nexben.

Auditor Treasurer Peters presented the following in his report:

1. Five-Year Financial Report
2. The Board unanimously approved to allow County Board attendance to the Annual Marshall County Township Association Meeting in March. **M/S/C – Bring,**

Vonasek

- 3. Extension Discussion/Update
- 4. A Buffer Strip Resolution received Board Approval.
- 5. Census Correspondence was shared
- 6. Stephen Ambulance Thank you was shared
- 7. The Board unanimously approved to set the County Board of Equalization Meeting for 6/21/16 at 6 pm. **M/S/C – Bring, Vonasek**
- 8. The Board reviewed bids and options for cleanup and/or sale of a Lincoln Township forfeited tax parcel. There have been calls to sell the property as is due to the remaining value of the buildings. The Board did not accept any bids for cleanup at this time and will have the County move forward with the forfeited tax sale on this and all tax forfeited parcels.

RESOLUTION 02-16-05

WHEREAS, the 2015 Minnesota Legislature established guidelines, (MN Statute 103F.48), to develop a statewide program to provide riparian protection through the use of vegetative buffer strips;

WHEREAS, the Legislative guidelines address public waters and public drainage systems, which are not identified through a mapping process, but intentionally did not address private drainage systems;

THEREFORE BE IT RESOLVED, that the Marshall County Board of Commissioners supports the Legislative intent to exclude private drainage systems from the requirements contained in the riparian protection legislation adopted in 2015;

BE IT FURTHER RESOLVED, the Marshall County Board of Commissioners hereby requests that the Minnesota Legislature clearly conveys their intent to exclude private drainage systems to Governor Mark Dayton, and the Agencies responsible for developing a statewide map of area that will be subject to riparian protection regulations outlined in 103F.48. **M/S/C – Borowicz, Bring**
Resolution 02-15-05 received unanimous approval by the Board.

The following Commissioner/Committee Reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Borowicz	Markit
Bring	Markit, MRCC, Fabian Town Hall Environmental Meeting
Kiesow	Fabian Town Hall Environmental Meeting, NWRDC, Intergovernmental meeting at Agaasiz, Kittson County Elk Meeting
Vonasek	Markit, Tri-Valley, Land of the Dancing Sky
Miller	Drainage and Wetland Conference

The meeting was adjourned at 12:45 p.m. by Chairman Kiesow.

CHAIRPERSON,
MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER