

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
Regular Board Meeting
September 5, 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.

Loren Zutz met with the Board during open forum to discuss watershed related court file 45-CV-08-59.

Marshall County Historical Society President Kent Broten addressed the Board to provide a yearly report and to review the 2018 Historical Society Budget. 2017 was a good year for the Society with good numbers of visitors and many special events being held. Fundraising efforts are continuing and a grant for an air handling system has been applied for through the State Historical Society. Mr. Broten is requesting a \$1500 increase in County Funding for 2018.

The Board unanimously approved the September 5, 2017 meeting agenda with additions. **M/S/C – Vonasek, Kiesow (5,0)**

The minutes from the August 15, 2017 Regular Board and Special Board Meetings were approved with corrections. **M/S/C – Borowicz, Bring (5,0)**

Tammy Frohlich from the Retired and Senior Volunteer Program provided the Board with a program report and funding request.

RESOLUTION 09-05-01

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	8/16/2017	\$107,867.58
	8/22/2017	\$15,472.71
Commissioner Warrants		\$418,751.17

M/S/C – Vonasek, Kiesow (5,0)

The following Commissioner/Committee Reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Borowicz	Benefit Committee
Bring	Old Mill Grinding Days
Kiesow	Joint Counties Natural Resource Board, Elk Depredation Meeting, Red River Basin Executive Committee, TRF Watershed One Watershed One Plan, NW Community Action
Miller	Benefit Committee, TRF Watershed One Watershed One Plan, Minnesota Joint Powers of the Red Basin
Vonasek	MST Watershed

State Representative Dan Fabian and State Senator Mark Johnson addressed the Board to discuss legislative matters and to provide an update on the new laws passed this year. Darren Carlson, Dan Thorstad, Russ Steer, Matt Fischer, and Lon Aune were also present for this discussion. Mr. Fabian indicated that overall the legislative session went well. Buffer Law adjustments, PILT changes, Nitrogen Rule concerns, Thief Lake WMA School Trust Lands, Enbridge Tax Court in October, support for Line 3 replacement, Elk and Wolf

Depredation, County Program Aid enhancements, Transportation and Bonding Bills, and the DigiKey Expansion Bill were discussed.

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

Bids for SAP 045-598-024 were opened by Mr. Aune and Highway Fiscal Officer Dave Lansing as follows:

Taggart Excavating and Septic	no addendum attached
Spruce Valley Corporation	\$69,882.00
Triple D Construction	\$75,505.00
Gladen Construction	\$75,044.60
R.J. Zavoral and Sons, Inc.	\$69,175.00
Olson Construction TRF Inc.	\$71,807.00

RESOLUTION 09-05-02

Whereas, Marshall County Highway Department is responsible to construct and maintain a road network that strives to meet the transportation needs of the residents of Marshall County, and

Whereas, the transportation infrastructure is dependent upon long-term planning and on-going maintenance, both of which require funding to be completed; and

Whereas, as per Minnesota Statute 174.52 the Local Road Improvement Program was established to provide funding assistance to local agencies on transportation projects in three areas including Trunk Highway Corridor Projects, Routes of Regional Significance, and Rural Road Safety; and

Whereas, the Local Road Improvements Program was appropriated \$25.3 million during the 2017 Legislative Session for constructing or reconstructing local roads; and

Whereas, the Marshall County Highway Department will be submitting an application on behalf of Marshall County and the City of Warren to obtain funds for the reconditioning of Johnson Avenue Northwest to provide a safer and better roadway for the traveling public in Warren, MN,

THEREFORE BE IT RESOLVED THAT, the Marshall County Board of Commissioners hereby supports the application and if selected the use of the funds administered by the State of Minnesota.

BE IT FURTHER RESOLVED, the city will continue to maintain the roadway under its current maintenance program. **M/S/C – Vonasek, Bring (5,0)**

Mr. Aune provided updates on the following:

- A. Highway Department parking lot paving project changes were approved by the Board and will be completed this year. **M/S/C – Vonasek, Bring (4,1) Aye – Kiesow, Vonasek, Miller, Bring. Nay - Borowicz**
- B. Shoreline and Buffer Law Ordinances updates. Buffer violation penalties were discussed. Environmental Administrator Josh Johnston was present for this discussion.

The Board recessed the regular meeting and opened the Ditch Authority Meeting. **M/S/C – Bring, Borowicz (5,0)**

Approval was given to a box culvert replacement with appropriate culverts on CD 32, Lateral 1 in Espelie Township at sections 29, 30, 31, and 32. **M/S/C – Kiesow, Bring**

Joint Ditch Agreement finalizing timelines were discussed.

The County Road 6 cleaning project was reviewed.

The Board closed the Ditch Authority Meeting reopened the regular meeting. **M/S/C – Kiesow, Bring (5,0)**

Dan Thorstad, Darren Carlson, and Janelle Kollin from the Marshall County SWCD Met with the Board to provide a 2017 Update and to review their 2018 Budget. Engineer Aune and BWSR Representative Matt Fischer were also present.

Engineer Aune returned to the meeting and received approval on the following Resolutions.

RESOLUTION 09-05-03

BE IT RESOLVED, that pursuant to advertisement for bids for SAP 045-598-024, Bridge Replacement with 1 Line 122” Span R.C.P. Arch Culvert on County Road 144 between TH 1 and County Road 100, the following bids were received:

R.J Zavoral and Sons, Inc	\$69,175.00
The Spruce Valley Corp	\$69,882.00
Olson Construction TRF Inc.	\$71,807.00
Gladen Construction	\$75,044.60
Triple D Construction	\$75,505.00

NOW THEREFORE BE IT RESOLVED that the bid of R.J Zavoral and Sons, Inc in the amount of \$69,175.00 be accepted. **M/S/C – Borowicz, Kiesow (5,0)**

RESOLUTION 09-05-04

WHEREAS, the Marshall County Board of Commissioners approved Resolution 07-06-05 accepting a grant from the Commissioner of Transportation through the Minnesota State Transportation Fund for the construction of Bridge Number 45J36; and

WHEREAS, the resolution and grant agreement were approved and the terms accepted by Marshall County; and

WHEREAS, the original resolution and agreement were approved on an estimated amount of funding, and

WHEREAS, the resolution and agreement are to be approved based on the lowest responsible bid

NOW THEREFORE, Be it resolved that this resolution amends resolution 07-06-05 by replacing the grant amount of \$55,165.00 be replaced with \$64,573.0 as determined by the lowest responsible bid. **M/S/C – Vonasek, Bring (5,0)**

Assessor Russ Steer met with the Board to review options for possible replacement of the Colorado pickup.

Auditor-Treasurer Peters discussed the following for his report:

1. Ditch Report through August
2. Con Con Area Ditch State Payment Settlement Report
3. The Board set the County Truth in Taxation Date and Time for December 7, 2017 at 6 pm in the Marshall County Boardroom. **M/S/C – Kiesow, Vonasek (5,0)**
4. Agassiz Revenue Sharing Resolution Consideration – Resolution 09-05-05
5. Recorder Appointment Resolution Consideration - Resolution 09-05-06
6. Pay Structure/Comparison Reports-Adjustment Consideration
7. AMC State Conference Registration
8. Payroll/Human Resource/E-Time programming proposal and associated costs with Computer Professionals Unlimited was reviewed with no action taken.

9. U of M Memorandum of Agreement for Extension Services for one 4-H Program Coordinator beginning in 2018 received Board approval. **M/S/C – Bring, Vonasek (5,0)**

RESOLUTION 09-05-05

BE IT RESOLVED, that the County Auditor-Treasurer is directed to distribute \$38640.00 received in Revenue sharing from the Agassiz National Wildlife Refuge.

Road & Bridge 15%	\$ 5796.00
Twp. & City 25%	9660.00
School Districts 60%	<u>23,184.00</u>
	38,640.00

Greenbush/Middle River School Dist. # 2683	\$ 6805.11
Grygla School Dist. # 447	11,209.93
Goodridge School Dist. # 561	<u>5168.96</u>
	23,184.00

Townships 45 Sections @ 214.66

Whiteford (13 sections)	\$ 2,790.67
East Valley (13 sections)	2,790.67
Cedar (6 sections)	1,288.00
Agder (5sections)	1,073.33
Eckvoll (5 sections)	1,073.33
Rollis (3 sections)	<u>644.00</u>
	9,660.00

M/S/C – Kiesow, Bring (5,0)

RESOLUTION 09-05-06

WHEREAS, the Laws of Minnesota 2017, Chapter 92 – S.F. No. 514, 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, and;

WHEREAS, the Marshall County Board of Commissioners has provided 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;

THEREFORE BE IT RESOLVED, by the Marshall Count Board of Commissioners that the office of Marshall County Recorder is hereby made appointive subject to the conditions of the Laws of Minnesota 2017, Chapter 92 – S.F. No. 514, Article 3, Section 5, and upon compliance with Minnesota Statutes, sections 645.021, subdivisions 2 and 3. **M/S/C – Kiesow, Borowicz (5,0)**

The Board reviewed the 2018 Levy and Budget.

Chairman Miller adjourned the meeting at 2:12 pm.

CHAIRPERSON,
MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER