

OFFICIAL PROCEEDINGS
MARSHALL COUNTY BOARD OF COMMISSIONERS
Regular Board Meeting
March 2, 2021 - 9:00 A.M.
Marshall County Meeting Room 1
Warren, Minnesota
Meeting is Available by Zoom at I.D 875 5328 1231 and
Passcode 641670 or by Phone at 218-686-3507

The Pledge of Allegiance was given.

Commissioner Miller called the meeting to order at 9 a.m. with Commissioners Sharon Bring, Larry Nybladh, Jim Duckstad, Rolland Miller, Gary Kiesow, GIS Administrator Liz Dustin, County Highway Engineer Lon Aune, Thief Lake Township Board Members Kenneth Cwikla and Gary and Arlette Pearson and Auditor-Treasurer Scott Peters present in the meeting room and DNR Thief Lake Manager Kyle Arola available via Zoom.

The Board unanimously approved the March 2, 2021 meeting agenda with additions.
M/S/C – Duckstad, Kiesow (5,0)

The minutes from the February 16, 2021 Regular Board Meeting were approved as written. **M/S/C – Bring, Nybladh (5,0)**

RESOLUTION 03-02-01

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 17, 2021	\$482,386.00
February 17, 2021	\$10,579.69
February 24, 2021	\$6,735.73

Commissioner Warrants

\$88,038.39

M/S/C – Bring, Kiesow (5,0)

DNR Thief Lake Manager Kyle Arola presented a proposal for a Thief Lake Township DNR Land Sale in Exchange for Private Parcel Approval for DNR Acquisition Consideration of a private parcel via Zoom. The Board will consider to allow the DNR to purchase 72 acres on Tract 126A in Thief Lake Township in exchange for a private sale by bid of an 80 acre DNR owned parcel in Thief Lake Township, contingent upon an easement agreement being in place to allow for access to other private property across these parcels and to allow for all ditch maintenance on JD 21, prior to transfer of ownership, as provided by the Marshall County Attorney.

Environmental Services Administrator Josh Johnston met with the Board to request General Zoning and Floodplain Ordinance Modification Consideration. The Board approved the Modifications as suggested on the County Floodplain Ordinance and authorized publication requirements and implementation of the same. **M/S/C – Duckstad, Nybladh (5,0)** No action was taken on the General Zoning Ordinance at this time.

The Board met with Stephen area farmer Keith Szczepanski to consider appointment to an open position on the Middle Snake Tamarac Rivers Watershed District Board of Managers. The Board appointed Keith Szczepanski to complete the open MST Watershed Board position with term ending 8/27/23, thanking him for stepping forward for this consideration and wished him well with this appointment. **M/S/C – Nybladh, Bring (5,0)**

The Board opened a Public Hearing regarding County Tobacco Ordinance Proposed Modifications at 10:30 a.m. Public Health Director Fran Tougas provided a Proposed Modified Tobacco Ordinance for review, primarily addressing the change in legal age to 21 years of age. No one from the public was present. The Board approved the modifications to the County Tobacco Ordinance and authorized the publication and implementation of the same. **M/S/C – Bring, Nybladh (5,0)**

Court Administrator Pamala Shaw and Auditor Deputy Susan Peterson joined the meeting via Zoom.

Public Health Director Fran Tougas provided a COVID Update.

1. There have been a total of 779 total cases in the County to date with 70 new cases in February and 9 current active cases, but no County deaths in 2021.
2. 60% of our County population 65 years of age and older have now received the vaccine. 19.5% of all County residents have been vaccinated.
3. Schools are mostly in person now and monitor positivity rates for decisions on how to move forward. The positivity rate last week in the County was 14.4%, but trending downward.
4. Vaccination Group criteria was reviewed for timelines on when vaccines will be administered to various segments of our population.

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

1) Resolutions/Agreements

- a. Authorization was given to advertise for bids SAP 045-599-156 Moose River Bridge on Township Road 690 Bridge Replacement with (3) 12' x 12' Box Culverts – Resolution Number 03-03-02.
- b. Authorization was granted to purchase 2 Landpride Mowers – Resolution Number 03-02-03.
- c. Authorization to Hire Ethan Haley as Engineering Technician at B-32 starting step, beginning 3/29/21 was given. **M/S/C – Bring, Kiesow (5,0)**
- d. Authorization was given to participate in Excel Township Local Road Improvement Project – Resolution Number 03-02-04.

2) Highway Department Updates

- a. 5 Year Road Plan Meeting will be advertised to be held at the end of an upcoming Regular Board Meeting

3) General Discussion

- a. Snow and Ice policy. Still waiting on information. Suggestions on wording were discussed.

4) Ditch Items

The Board recessed the Regular Meeting and opened the Ditch Authority Meeting. **M/S/C – Duckstad, Bring**

- a. The JD11 Joint Ditch Authority will hold a Public Hearing regarding an Abandonment Request of lands from that systems benefited area on March 29, 2021 at 10 a.m. at the Grygla Community Center.
- b. The Board authorized Mr. Aune to ascertain funding needs from the JD 23 system for right of way costs not covered by other funds. This will be brought back to a future meeting for authorization consideration.

The Board closed the Ditch Authority Meeting and reconvened the Regular Board Meeting. **M/S/C – Bring, Kiesow (5,0)**

RESOLUTION 03-02-02

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

SAP 045-599-156 – Twp. Road 690, between CSAH 6 and CSAH 48, Bridge Replacement with 3 Lines 12' x 12' Concrete Box Culverts.

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

RESOLUTION 03-02-03

WHEREAS, the following quote was received for the purchase of two (2) 14' LANDPRIDE Rotary Cutters with trade-in:

Kittson Auto and Implement.....\$21,500.00
Titan Machinery.....\$29,000.00

AND WHEREAS, the quote of Kittson Auto and Implement, Inc. for \$21,500.00 has been determined to be the best quote.

NOW THEREFORE, be it resolved that the quote of Kittson Auto and Implement be accepted for furnishing two (2) LANDPRIDE (14') RCM5014 Rotary Cutter Mowers and the County Highway Engineer be authorized to purchase two (2) LANDPRIDE (14') RCM5014 Rotary Cutter Mowers for \$21,500.00. **M/S/C – Nybladh, Bring (5,0)**

RESOLUTION 03-02-04

BE IT RESOLVED, 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 complete; 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 Marshall County Highway Department will be submitting an application on behalf of Excel Township to obtain funds for the reconstruction of 270th Street Northeast extending one mile west of MN TH32,

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 township will continue to maintain the roadway under its current maintenance program. **M/S/C – Kiesow, Duckstad (5,0)**

Maintenance Engineer Rodger Haugtvedt and County Park Manager Jim Stafford met with the Board regarding the Park Grounds Enhancement Project. Park Board Member Jeff Kroll and Jerry Pribula joined the meeting via Zoom. Many options and funding considerations were discussed. A definitive enhancement plan will be made and grants pursued for possible assistance with funding of this project.

The Board declared the old chairs in the courtroom as excess property to be advertised for sale on a first come first serve and best cost basis. **M/S/C – Bring, Duckstad (5,0)**

The Board approved the proposed Hanson Subdivision Plat, being a Replat of Outlot A, Wilchard Place Subdivision located in Section 9, Township 154 North, Range 43 West in Marshall County Minnesota. **M/S/C – Kiesow, Duckstad (5,0)**

The following Commissioner/Committee Reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Nybladh	Employee Benefit Committee, County Park Board,

Bring	Extension Committee, AMC Government 101 Meetings Living at Home Program, County Park Board, Extension Committee, Transportation Advisory Committee, Northwest Community Action
Kiesow	Northwest Community Action, Red River Basin Executive Committee, Moylan, Grand Plain and Thief Lake Township Meetings
Miller	Employee Benefit Committee, 2 MST Watershed Meetings, Counties Providing Technology
Duckstad	Northwest Minnesota Household Hazardous Waste, AMC Transportation and Infrastructure Committee, Northwest Mental Health, MST Watershed

Auditor-Treasurer Peters provided the following for his report:

1. 5 Year Financial Report
2. Ditch Report through February
3. AG Services Update – Discussion on Future Options for Position
4. Assessor Hiring Process Update
5. Nationwide Secure Act Consideration – The Board approved the Qualified Birth and Adoption Distribution and In-Service Distribution Age changes as allowed by the SECURE Act. **M/S/C – Duckstad, Bring (5,0)**

RESOLUTION 03-02-05

WHEREAS, Marshall County is responsible for providing essential governmental services such as transportation infrastructure and solid waste management that promote a vibrant community;

WHEREAS Marshall County works tirelessly to be good stewards of our tax dollars and provide these programs in a cost-effective and efficient manner;

WHEREAS, the Minnesota Pollution Control Agency (MPCA) is in the process of adopting California’s Low-Emission Vehicle (ZEV) mandates, which are expected to phase-out the sale of fuel-powered passenger vehicles by 2035;

WHEREAS, the adoption of these rules is being conducted by rulemaking, which limits the scope of the discussion to a narrow set of issues, precluding a broader policy debate on the economic development, transportation, energy, and waste disposal impacts of the policy. The proposed rule and process for adopting it also fail to address many of the Minnesota-specific concerns related to our county’s demographics and climate.

WHEREAS, the MPCA’s own documents show that the plan to mandate California’s LEV and ZEV standards is likely to increase the cost of all light and medium-duty vehicles sold in Minnesota by an average of \$1,139;

WHEREAS, the MPCA estimates the rule will displace 674 million gallons of fuel by 2034, before the phasing out of fuel-powered vehicles, but the MPCA’s documents do not address the long-term consequences on our county’s transportation revenues (or the impacts on our local ethanol plant/biofuels industry);

WHEREAS, batteries in electric vehicles weigh ten-times as much as batteries in vehicles with internal combustion engines and include more toxic elements, exposing our county to increased disposal costs and liabilities;

THEREFORE BE IT RESOLVED that Marshall County opposes the MPCA’s attempt to adopt California’s mandates through rulemaking with consulting the Legislature; and

BE IT FURTHER RESOLVED that Marshall County encourages the Walz administration to withdraw its proposed rulemaking and bring a proposal to the Legislature where a more comprehensive policy can be considered; and

BE IT FURTHER RESOLVED that Marshall County stands ready to advise the Governor, his administration, and our regional Legislators on proactive methods to achieve the goals raised by Governor Walz without adversely impacting our ability to provide public services; and

BE IT FINALLY RESOLVED that Marshall County will advocate against this rulemaking to ensure that our concerns about increased costs, lost transportation revenues, and battery waste are contemplated and mitigated. **M/S/C – Duckstad, Bring (5,0)**

Chairperson Miller adjourned the meeting at 3:00 p.m.

CHAIRPERSON, MARSHALL COUNTY BOARD OF COMMISSIONERS

ATTEST: _____
MARSHALL COUNTY AUDITOR-TREASURER