



Board of County Commissioners Agenda Request

98
Agenda Item #

Requested Meeting Date: 8-13-19

Title of Item: CSAH 3 Project Update-Authorize Eminent Domain

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <small><i>*provide copy of hearing notice that was published</i></small>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
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Submitted by: John Welle	Department: Highway Department
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Presenter (Name and Title): John Welle, Aitkin County Engineer	Estimated Time Needed: 15 minutes
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Summary of Issue:
 General Project Update: A general project update will be given for the CSAH 3 (TH 232 turnback) project from approximately 6 miles east of the City of Palisade to Trunk Highway 65, including anticipated construction schedule, status of environmental permitting, right of way acquisition, cultural resource phase III recovery and cultural resource memorandum of agreement.

Authorize Eminent Domain: Over the past 12 months, highway department staff have been working to acquire 68 parcels of right of way from 59 landowners for this project. To date, 58 parcels have been acquired with another 7 parcels in the process of being finalized. The remaining 3 parcels owned by 2 different landowners will need to be acquired through eminent domain proceedings based on the current status of negotiations with those landowners. Authorization is being requested by the attached resolution to begin eminent domain proceedings on the remaining unacquired parcels.

Alternatives, Options, Effects on Others/Comments:
 The alternative to eminent domain proceedings is to continue to negotiate with the remaining parcel owners, which to date has not been successful.

Recommended Action/Motion:
 Approve resolution.

Financial Impact:
Is there a cost associated with this request? Yes No
What is the total cost, with tax and shipping? \$
Is this budgeted? Yes No *Please Explain:*

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED August 13, 2019

By Commissioner: xx

20190813-0xx

CSAH 3 Project-Authorize Eminent Domain

WHEREAS, construction plans for S.A.P. 001-603-018 to reconstruct the 3.2-mile segment of Aitkin County State-Aid Highway (CSAH) No. 3 from 6 miles east of the City of Palisade to TH 65 are being developed as directed by the Aitkin County Board of Commissioners, and

WHEREAS, several parcels of right-of-way remain to be acquired before construction of this project can begin, and

WHEREAS, it is necessary to take immediate possession of these parcels of land in order to prevent further delay of this project.

NOW THEREFORE, BE IT RESOLVED, that the Aitkin County Attorney is hereby directed to proceed with eminent domain proceedings by quick take on parcels 7, 13, 37, 41, 54, 55, 59, 60, 62, and 63 of Aitkin County Highway Right of Way Plat No. 20.

Commissioner xx moved for adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting Yes

STATE OF MINNESOTA}
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 13th day of August, 2019 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 13th day of August, 2019

Jessica Seibert
County Administrator