

JOINT RESOLUTION
BENTON COUNTY & CITY OF FOLEY
STATE OF MINNESOTA

COUNTY OF BENTON 2016 - 7
CITY OF FOLEY RESOLUTION 2016 – 10

A RESOLUTION APPROVING 4TH AVENUE N. VARIANCE

WHEREAS, the County of Benton is reconstructing County State Aid Highway 20 from the bridge over Stoney Brook Creek to Main Street located in the City of Foley, Minnesota. The City of Foley has requested the County of Benton incorporate certain road specifications that do not comply with Minnesota Minimum Design Standards.

WHEREAS, the County of Benton is required to get a variance from the State of Minnesota to provide for the requested road specifications. The State of Minnesota requires that the County of Benton indemnify the State of Minnesota in the event the State of Minnesota is involved in any civil or administrative proceeding as a result of the variances granted from the Minnesota Minimum Design Standards for CSAH 20.

WHEREAS, the County of Benton is willing to incorporate certain road specifications requested by the City of Foley and is willing to request variances from the Minnesota Minimum Design Standards from the State of Minnesota if the City of Foley will indemnify the County of Benton for any claims related to the reconstruction of the portion of CSAH 20 located in the City of Foley.

NOW, THEREFORE, BE IT RESOLVED, that the City of Foley, Foley City Council hereby indemnifies, saves and hold harmless the County of Benton and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of County State Aid Highway 20 from the bridge over Stoney Brook Creek to Main Street located in the City of Foley, Minnesota in accordance with Minnesota Rules 8820.9936 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

(Signatures on following page)

PASSED AND ADOPTED by the Benton County Board of Commissioners this 5th day of April, 2016.

Spencer C. Buerkle, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota this 19th day of April, 2016.

Dave Mosford, Mayor

ATTEST:

Robert Barbian, City Administrator