

**PRINCETON TOWNSHIP
MILLE LACS COUNTY, MINNESOTA
Resolution No. 2020-25**

**A RESOLUTION AUTHORIZING A CONTRACT WITH
AN INTERESTED OFFICER PURSUANT TO MINNESOTA
STATUTES, SECTION 471.88, SUBDIVISION 20**

WHEREAS, the Board of Supervisors (“Town Board”) of Princeton Township (“Town”) anticipates entering into a contract with Hiller Auction Service, Inc. (“Contractor”) for the sale by auction of used Town vehicles, specifically one 2002 Sterling plow truck and one 1999 International plow truck;

WHEREAS, a sale price for the used Town vehicles will not be determined until the auction is held, but it is anticipated that the sale price for the vehicles will be as high as, or higher, than the Town could obtain elsewhere on the open market at this time;

WHEREAS, Supervisor Dan Hiller (“Supervisor”) is an employee of the Contractor and is the son of the Contractor’s owner and chief executive officer Kevin Hiller;

WHEREAS, under Minnesota Statutes, section 471.88, subdivision 20, a town may enter into contracts, even if a supervisor is an employee of a contractor, so long as the supervisor had no role in preparing the contractor’s bid or negotiation for the contract with the town;

WHEREAS, the Supervisor will have no role in the auction or negotiation with the Contractor for payment of the Contractor’s services through a contract with the Town; and

WHEREAS, the sale of the used vehicles by auction through the Contractor is a statutory exception to any direct or indirect conflict of interest, but in order to avoid the appearance of impropriety, the Town Board desires to ratify and approve the contract with the Contractor.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, upon unanimous vote with the Supervisor abstaining, approves the sale by auction of the Town’s 2002 Sterling plow truck and 1999 International plow truck through the Contractor in accordance with the terms and conditions cited above, including that the sale price for the vehicle is as high as, or higher than, the sale price of comparable used vehicles that could be obtained elsewhere on the open market at the time of purchase. In accordance with Minnesota Statutes, section 471.88, subdivision 20, the Supervisor is not precluded from continuing to serve as a Town official so long as he abstains from voting on any official action relating to the contract with the Contractor and the reason for the Supervisor’s abstention is set forth in the official minutes of any Town meeting where such a vote is taken.

BE IT FINALLY RESOLVED, the Town Board hereby ratifies and approves, pursuant to Minnesota Statutes, sections 365.37 and 471.88, subdivision 20, the sale of the used vehicles by auction through the Contractor in accordance with the terms and conditions cited above.

Adopted this 18th day of August, 2020

BY THE TOWN BOARD

Attest: Douglas Dahl
Town Clerk

Egon Stenhal
Chairperson