

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
October 28, 2014 – 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Robert Moline, Gerald Magnus, David Thiner, John Giese and James Jens. Also present Aurora Heard, County Coordinator, Paul Malone County Attorney and Heidi Winter, Auditor-Treasurer

The meeting opened by reciting the Pledge of Allegiance to the Flag.

No conflict of interest identified.

The Chairman asked if there were any additions to the agenda. Several items were added.

It was moved by Jens, seconded by Moline and passed to approve the agenda as modified and consent agenda item number 1.

Consent Agenda

1. Approval of the minutes from October 21, 2014

Heidi Winter presented the following petition for repair:

- #2014-088 (JD 11, 32-Belfast Township, Jens)
- #2014-089 (CD 40, 24-Bondin Township, Thiner)
- #2014-090 (CD30, 26 Belfast Township, Jens)
- #2014-091 (CD 34, 23 Ellsborough Township, Moline)
- #2014-092 (CD 53, 27 Skandia Township, Moline)
- #2014-093 (CD 26, 21 Skandia Township, Moline)

A motion was made by Thiner, seconded by Jens and carried that the Commissioners appointed as Inspectors in and for the County of Murray, are hereby instructed to examine and inspect that portion of the foregoing described County and Judicial Ditches, lying within the County of Murray, for the purpose of determining what repairs are necessary, and if deemed necessary, to prepare either a cost estimate of said repair, or order said repairs to be made, with a report to be given thereon at a Murray County Board of Commissioner's meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota.

Set JD 2 Hearing

It was moved by Moline, seconded by Thiner to set a public hearing at 9:00 a.m. on December 2, 2014 for a removal petition for landowner Ronald Kirchner from JD 2.

Voting in Favor: Moline, Jens, Thiner, Giese

Abstain: Magnus

Motion carried 4 to 0.

Ditch Bills

A motion was made by Magnus, seconded by Moline with all members of the Board voting their approval to accept the report of the Ditch Committee of the County and Judicial Ditches lying within the County of Murray on those petitions for repair that have been inspected for determining what repairs, if any, are necessary, the extent and nature of such repairs, an estimated costs of such repairs or a list of bills presented for payment that will enable said ditches to answer their purposes and to pay all bills contained within the report.

<u>Contractor</u>	<u>Ditch #</u>	<u>Amount</u>	<u>Petition #</u>	<u>Inspector</u>
BreMik Materials, Inc				
	JD19	6,430.56	2014-062	Moline
	Subtotal	6,430.56		
Bill's Backhoe Service, LLC				
	CD68	300.00	2014-036	Magnus
	CD54	350.00	2014-044	Magnus
	Subtotal	650.00		
Total for All Ditch Bills		7,080.56		

Commissioner Jens offered the following resolution and moved for its adoption:

RESOLUTION 2014-10-28-01
 RESOLUTION OF DRAINAGE AUTHORITY
 FOR REDETERMINATION OF BENEFITS

WHEREAS, it appears that the original benefits or damages determined in County Ditch 30 do not reflect reasonable present day land values; and

WHEREAS, it appears that the present day land values of land benefited or damaged have changed; and

NOW, THEREFORE, BE IT RESOLVED that the drainage authority ordains that a Redetermination of Benefits and Damages pursuant to M.S. §103E.351 is appropriate and that the same shall be carried out.

RESOLVED FURTHER that the following named persons are appointed as viewers to redetermine and report the benefits and damages and the benefited and damaged areas to the drainage authority as provided by law: Jim Weideman, Bill Moldestad, Steven Johnson, Duane Bendixen, Dan Ruby (alternate)

RESOLVED FURTHER that the redetermined benefits and damages and benefited and damaged areas shall hereafter be used in place of the original benefits and damages and benefited and damaged areas in all subsequent proceedings relating to the aforementioned drainage system.

The foregoing resolution was duly seconded by Commissioner Thiner and thereupon being put to a vote all members voted in favor.

Transportation Donation

It was moved by Thiner, seconded by Magnus and passed to accept a \$100 donation from The Murray County Senior Citizens Organization restricted for the purpose of offsetting expenditures for expenditures for the Murray County Senior Citizens Day held on October 17, 2014 (receipt code: 01-515-517-5760).

Auditor/Treasurer Winter distributed a letter from the Minnesota DNR.

Auditor/Treasurer Winter distributed a letter from the City of Chandler.

November 18, 2014 Board Meeting – Early Start Time

It was moved by Moline, seconded by Jens and passed to approve a start time of 8:00 a.m. for the November 18, 2014 meeting.

Murray County Museum Building Repair End O Line Railroad Roofing

It was moved by Jens, seconded by Giese and passed to approve advertising for sealed quotes for the Murray County Museum building repair, rebuilding ADA landing and ramp, and the End O Line Railroad roofing, depot, two sheds and caboose with quotes being opened on November 25, 2014 at 10:15 a.m. with a project completion date of Memorial Day 2015.

Amy Rucker gave an update on a profit mastery course she attended.

Commissioner Moline offered the following resolution and moved for its adoption:

RESOLUTION NO. 2014-10-28-02
A Resolution to Transfer Minnesota Investment Fund Dollars
to the Community Development Block Grant Program Income Account

WHEREAS, Murray County will provide a Preliminary Proposal to the Small Cities Development Program (hereafter “SCDP”) in November 2014 requesting a \$540,400 grant to provide funding for owner-occupied housing rehabilitation in 2015;

WHEREAS, the Preliminary Proposal to the SCDP will be more competitive if matching funds are pledged;

WHEREAS, as of September 30, 2014, Murray County is holding \$258,412 in Minnesota Investment Fund (hereafter "MIF") dollars originating from U.S. Housing & Urban Development (hereafter "HUD");

WHEREAS, transferring MIF/HUD funds to a Community Development Block Grant (hereafter "CDBG") Program Income account is one of the few allowable uses of the MIF/HUD funds;

WHEREAS, CDBG Program Income dollars can be used as matching funds for SCDP grants;

NOW THEREFORE BE IT RESOLVED that the Murray County Board of Commissioners pledges \$110,000 in the November SCDP Preliminary Proposal; and

BE IT FURTHER RESOLVED that if grant funding is awarded as a result of a successful November 2014 Preliminary Proposal and subsequent SCDP full grant application, the Murray County Board of Commissioners authorizes the transfer of up to \$110,000 from the MIF/HUD fund to the CDBG Program Income account to honor the pledge made in the SCDP application.

The foregoing resolution was duly seconded by Commissioner Thiner and thereupon being put to a vote all members voted in favor.

Preliminary Proposal for Small Cities Development Program

It was moved by Magnus, seconded by Jens and passed to approve and authorize the Board Chair to sign a preliminary proposal to the small cities development program for housing rehabilitation grand funds for Currie and Iona.

Slayton Fire Department Jon Boat

It was moved by Jens, seconded by Moline and passed to approve the Slayton Fire Department utilize the jon boat to repair the dry hydrant located on Lime Lake in Avoca.

Memorandum of Understanding

It was moved by Thiner, seconded by Jens and passed to approve and authorize the Board Chair to sign a Memorandum of Understanding with AFSCME Local 65 regarding the Engineering Tech II position.

Highway Maintenance position description

It was moved by Moline, seconded by Jens and passed to approve the updated Highway Maintenance position description with an increase in labor grade from an 8 to a grade 9 effective January 1, 2015.

Highway Maintenance Sign man position

It was moved by Magnus, seconded by Moline and passed to approve the updated Highway Maintenance-Signman position description.

Engineering Tech II position

It was moved by Magnus, seconded by Giese and passed to approve the updated Engineering Tech II position description with an increase in labor grade from a 10 to an 11 effective October 28, 2014.

AFSCME Local 65 Highway Maintenance Contract

It was moved by Moline, seconded by Thiner and passed to approve and authorize the Board Chair to sign the 2015-2017 AFSCME Local 65 Highway Maintenance Contract.

10:00 a.m. Open Forum/Public Comments – No members of the public were present.

The Commissioners gave their committee reports for the period of October 12, 2014 to October 25, 2014.

John Giese reported on Plum Creek Library – October 15, Personnel Meeting – October 16, Area Agency on Aging Committee – October 20, Commissioner Board Meeting – October 21, A.C.E. of Southwest Minnesota – October 23, Interview CEO Candidate for Hospital – October 24.

Gerald Magnus reported on Hospital Personnel – October 14, Southwest Health & Human Services (No Per Diem Claimed) – October 15, Commissioner Board Meeting – October 21, Hospital Personnel CEO Interview – October 24.

Robert Moline reported on Supporting Hands Nurse Family Partnership – October 13, Hospital Meeting – October 14, Southwest Health & Human Services (No Per Diem Claimed) – October 15, Ditch Inspection (#7 & #50) – October 16, AMC Meeting (No Per Diem Claimed) – October 17, Commissioner Board Meeting – October 21, Ditch Inspection (CD#34) – October 22, Southern Prairie Health Purchasing Alliance – October 24.

David Thiner reported on Commissioner Board Meeting and Heron Lake Watershed District Meeting – October 21, Hospital Meeting – October 24.

James Jens reported on SAWS Meeting – October 13, Historical Meeting – October 14, Ditch Inspection (#30) – October 15, Personnel Meeting – October 16, Commissioner Board Meeting – October 21, Hospital Meeting Open House (No Per Diem Claimed) – October 22, Casey Jones Meeting and Ditch Inspection (#44) – October 23, Hospital Interview and Ditch Inspection (JD#20) – October 24.

It was moved by Moline, seconded by Jens and passed to approve the Commissioner Vouchers for the period of October 12, 2014 to October 25, 2014.

The meeting was recessed at 10:12 a.m.

At 3:01 p.m., Drainage Authority Chairman John Giese opened a hearing regarding final acceptance of the construction contract for the Murray County Ditch No. 82 Improvement Project.

Drainage Authority Board Members present were John Giese, Gerald Magnus, James Jens, Robert Moline and David Thiner. Also present were Kurt Deter, petitioner attorney; Duane Hansel, appointed engineer; Raymond Priebe, landowner/petitioner; Dorothy Bloemendaal, media; Heidi E. Winter, Auditor-Treasurer.

The Board determined that the County Auditor had given notice as required by M.S. § 103E.555 Subd. 1.

The Construction Engineer filed with the Drainage Authority a report certifying that the contract was completed and showing the contract price, the amount paid on the contract and the unpaid balance.

The Engineer briefly outlined the project and the fact that the project was completed.

The Chairman invited questions from those present. Petitioner Raymond Priebe expressed concern that he did not get the drainage relief that was expected when the petition was filed. Previous to the meeting he explored filing an additional petition for improvement that would run an additional tile line parallel to an existing line. Mr. Priebe was concerned that this would be too cost-prohibitive for the system and asked instead if he could lay the tile privately and then the Board reduce his final assessment by a reasonable amount to offset his costs. The Board determined that this would be considered at the special assessment hearing. There was further discussion regarding the project but no objection to finalization of the contract.

The public hearing was closed at 3:32 p.m.

After review of the construction costs and charges of the Engineer and all other aspects of the construction project, Commissioner Robert Moline offered the following resolution and moved for its adoption:

RESOLUTION NO. 2014-10-28-03

A Resolution to Approve Final Order Accepting Contract with Dave Hulstein Construction on Murray County Ditch No. 82

FINAL ORDER IN DITCH 82 ACCEPTING CONSTRUCTION CONTRACT
PURSUANT TO MINNESOTA STATUTE § 103E.555

1. That notice of the Hearing had been given properly pursuant to M.S. § 103E.555.
2. That the contract price, the amount paid on the contract and the unpaid balance were consistent with the contract and various statutes and regulations relative to County Ditch construction.
3. That the work performed under the contract was completed consistent with the contract.
4. That the unpaid balance of the construction contract shall be paid by the County Auditor, upon receipt of Form IC-134 from the Contractor.
5. That consideration of a reduction to the final special assessment for Landowner Raymond Priebe be addressed at a future special assessment hearing.

The foregoing resolution was duly seconded by Commissioner James Jens and thereupon being put to a vote all members of the Board voted for its adoption.

Update Policy #314 – Employee Performance Reviews

It was moved by Jens, seconded by Thiner and passed to approve updated policy #314, employee performance reviews.

The meeting was adjourned at 3:38 p.m.

ATTEST: _____
Aurora Heard, County Coordinator

John Giese, Chairman of the Board