

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
August 27, 2013 8:30 a.m.

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

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.

Consent Agenda

1. Approval of the Minutes from August 20, 2013

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

Ditch Repair petition

- #2013-035 (CD 7, 10-Cameron Township, Moline)

A motion was made by Moline, seconded by Magnus 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.

Ditch Bills

A motion was made by Jens, seconded by Thiner, 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>Amount</u>	<u>Petition #</u>	<u>Inspector</u>
Boehnke's Backhoe Services			
Co 73	378.00	2013-011	James Jens
Total for Boehnke's Backhoe	378.00		
LJG Backhoe LLC (formerly Goltz)			
Co 65	690.55	2011-051	Jens/Vickerman
Co 65	766.70	2012-038	Jens/Vickerman
Co 19	826.20	2012-068	Jens/Vickerman
Total for LJG Backhoe	2,283.45		
Empire Pipe Services			
Co 68	1,254.50	2013-025	Magnus
Total for Empire	1,254.50		
Steven M. Johnson (Ditch Viewer - CD 82 Redetermination)			
	2,602.34		
Total for Steven M. Johnson	2,602.34	2012-017	Improvement
Johnson Ditching			
Co 57	252.45	2013-027	Robert Moline
Jud 17	2,751.05	2013-017	Gerald Magnus
Jud 14	397.60	2013-028	Robert Moline
Jud 14	228.80	2013-032	Robert Moline
Total for Johnson Ditching	3,629.90		
Bolton & Menk, Inc.			
Co 35	2,006.50	2013-006	Improvement
Co 35	360.00	2012-052	Lateral and Outlet
Co 82	757.00	2012-017	Improvement
Total for Bolton & Menk	3,123.50		
Rinke Noonan			
Co 24	235.00	2013-023	Jens (USFish)
Co 35	1,187.50	2013-006	Improvement
Co 35	117.50	2013-006	Improvement
Co 35	1,187.50	2012-052	Lateral and Outlet
Co 82	2,362.50	2012-012	Improvement
Jud 3	235.00	2012-018	Improvement
Jud 6	2,599.00	2013-036	Improvement
Jud 20A	3,291.50	2013-037	Improvement
Total for Rinke Noonan	11,215.50		
Total Ditch Contractor Bills	24,487.19		

Teryjon Aviation

It was moved by Giese, seconded by Magnus and passed to approve payment to Teryjon Aviation for 2013 aerial ditch spraying as follows:

<u>Ditch Number</u>	<u>Number of Acres</u>	<u>Actual Cost</u>	<u>Ditch Number</u>	<u>Number of Acres</u>	<u>Actual Cost</u>
County Ditch 19	15	\$ 503.92	Judicial Ditch 14	82	\$ 2,754.75
County Ditch 4	8	\$ 268.76	Judicial Ditch 19	20	\$ 671.89
Judicial Ditch 3	6	\$ 201.57	County Ditch 20	14	\$ 470.32
County Ditch 52	4	\$ 134.38	County Ditch 20	76	\$ 2,553.18
Judicial Ditch 20a	32	\$ 1,075.02	County Ditch 81	2	\$ 67.19
County Ditch 22	17	\$ 571.11	County Ditch 45	3	\$ 100.78
County Ditch 29	29	\$ 974.24	County Ditch 63	3	\$ 100.78
County Ditch 27	12	\$ 403.13	County Ditch 26	15	\$ 503.92
Judicial Ditch 10	20	\$ 671.89	County Ditch 34	28	\$ 940.65
County Ditch 2	13	\$ 436.73	County Ditch 21	9	\$ 302.35
County Ditch 37	3	\$ 100.78	County Ditch 6	5	\$ 167.97
Judicial Ditch 13	15	\$ 503.92	County Ditch 7	29	\$ 974.24
County Ditch 40	3	\$ 100.78	Total		\$ 16,293.33
Judicial Ditch 12	5	\$ 167.97			
County Ditch 43M2	2	\$ 67.19			
County Ditch 30	4	\$ 134.38			
County Ditch 79	2	\$ 67.19			
County Ditch 42	4	\$ 134.38			
Judicial Ditch 15	5	\$ 167.97			

Forfeited Land

It was moved by Moline, seconded by Jens and passed to set the values for the 2013 Forfeited Land Sale Parcels as follows:

<u>Parcel Identification Number</u>	<u>Value</u>
21.100.067.0	\$10,000.00
23.100.069.0	\$150.00
29.100.130.0	\$200.00
23.170.006.1	\$150.00

Resignation

It was moved by Giese, seconded by Jens and passed to accept with regret the resignation of Diane Clercx effective August 23, 2013.

Attorney Agreement

It was moved by Jens, seconded by Giese and passed to approve and authorize the Chair to sign a legal fee agreement for employment related matters with Quinlivan & Hughes, PA.

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

Resolution 2012-08-27-01

Approving a contract between Murray County
and the State of Minnesota for Public Transportation
from January 1, 2014 to December 31, 2014

NOW THEREFORE BE IT RESOLVED, that Murray County enters into an Agreement with the State of Minnesota to provide public transportation service in Murray County during the period covering January 1, 2014 to December 31, 2014.

BE IT FURTHER RESOLVED, that Murray County agrees to provide a local share of 15% of the total operating cost and 20% of the total capital costs.

BE IT FURTHER RESOLVED, that the Board Chair and/or Auditor/Treasurer are authorized to execute the aforementioned Agreement and any amendments thereto on behalf of Murray County.

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

Commissioner Thiner presented the following resolution and moved for its adoption:

Resolution 2012-08-27-02

Public Participation Plan for
Murray County Heartland Express

The goals of the Murray County Heartland Express Transit System's Public Participation Plan is as follows:

- 1.) To ensure early, continuous and public notification and participation in actions and decisions by the Murray County Board of Commissioners regarding public transit.
- 2.) To get meaningful public input to help in the decision process.

This Plan establishes procedures to accomplish these goals. If a proposed decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures. But if for some reason there is a question as to whether these procedures should be followed the Murray County Heartland Express Transit system should follow them to ensure appropriate public notification and participation.

However, failure to exactly comply with these procedures shall not, in and of itself, render any decision invalid.

- 1.) To get public input on Murray County Heartland Express activities.
- 2.) To share information with a broad cross-section of the public via newspapers, radio and the Murray County web site.

This Public Participation Plan will be reviewed periodically for its effectiveness.
Principles to help guide the Murray County Heartland Express Public Participation Activities:

- 1.) A decision must be arrived at properly to be acceptable.
- 2.) Meet with organizations and groups.

Public Notification and Participation Procedures:

A variety of public notification procedures will be used to encourage involvement of the citizens, communities and interests in the process. Meetings and publications will occur when deemed necessary and provide ample notice to the public.

Regularly scheduled Meetings:

The Murray County Commissioners hold meetings on the first, third and fourth Tuesday of each month. The public has an opportunity to attend, comment and speak at the meetings.

Publications:

All information pending transit issues will be in the local papers.

Key Decisions and Actions

- 1.) A decision must be arrived at properly to be acceptable.
- 2.) Meet with organizations and groups.

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Key Decisions and Actions:

The Murray County Heartland Express Transit System will provide citizens, affected public agencies, representatives of public transportation employees, private providers of transportation, representatives of users of public transportation, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the transportation planning process.

The Murray County Heartland Express Program would hold informational meetings at various locations in Murray County to explain the public transportation program and listen to input from the general public. All locations will be accessible to the general public and an interpreter will be present to help with any language barriers. We hope during these open houses to share general knowledge of the Murray County Transportation Program and see how we can better serve the needs of local minorities and the general public.

We will notify local business of the open houses and encourage them to relay the open house information to their employees (or perhaps hold an open house at their facility). Secondly, we will post the meetings in local newspapers (in English and Spanish) and have posters made and posted in each community. Thirdly, we will send information home with children attending the local schools to be given to their families regarding the open houses.

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

Commissioner Moline introduced the following resolution including sending a thank you to Ernie and Betty Engelkes for his work on the thrashing event and moved for its adoption:

RESOLUTION 2013-08-27-03
RESOLUTION THANKING FAIR BOARD
MEMBERS AND VOLUNTEERS

WHEREAS, the Murray County Fair is an annual event.

WHEREAS, the Murray County Board of Commissioners recognizes the hard work and dedication of the Murray County Fair Board members and volunteers.

BE IT NOW RESOLVED, that the Murray County Board of Commissioners hereby thanks the Murray County Fair Board members and volunteers for all of their hard work for the 2013 Murray County Fair.

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

BCA Minnesota Internet Crimes against Children Task Force

It was moved by Jens seconded by Giese and passed to approve and authorize the County Sheriff and Board Chair to sign the BCA Minnesota Internet Crimes against Children Task Force multi-agency law enforcement joint powers agreements (#62745).

10:00 a.m. Open Forum/Public Comment – Caryl Busman spoke regarding the Historical Society and changing the county funding of the Historical Society to an appropriation. Kevin Nelson spoke regarding the cattle barn.

10:15 a.m. Commissioner Magnus was excused.

Cheryl Glaser gave the Southwest Initiative Foundation annual update.

The meeting adjourned at 10:44 a.m.

ATTEST:

Aurora Heard, Murray County Coordinator

John Giese, Vice-Chairman of the Board