

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
May 20, 2014 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, David Thiner and James Jens. 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 May 6, 2014

It was moved by Magnus, seconded by Thiner and passed to approve the agenda as modified and consent agenda item 1 with the changes to the minutes.

At 8:45 a.m. a conference call was held with Lyon and Redwood Counties regarding JD20A

JD 20 A Members Present: Murray County – Commissioner Bob Moline and Commissioner James Jens; Lyon County- Commissioner Charlie Sanow and Commissioner Stephen Ritter; Redwood County - Commissioner Lon Walling

Also present: Lyon County Auditor/Treasurer E.J. Moberg, Redwood County Auditor/Treasurer Jean Price, Murray County Auditor/Treasurer Heidi Winter, Murray County Attorney Paul Malone, Commissioner Dave Thiner, Commissioner John Giese, Commissioner Gerald Magnus and Murray County Coordinator Heard.

Chairman Moline reviewed the agenda.

It was moved by Commissioner Steve Ritter, seconded by Commissioner Lon Walling and passed to approve to appoint Dan Ruby as alternate viewer for Improvement and Redetermination of Benefits for replacing Kevin Vickerman as alternate viewer on JD 20A as Mr. Vickerman is a benefitting landowner.

Murray County Attorney Paul Malone reviewed the following letter:

MURRAY COUNTY ATTORNEY

Paul M. Malone
Murray County Attorney

Eugene D. Mailander
Assistant County Attorney

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May 2, 2014

MURRAY/LYON/REDWOOD JOINT BOARD
OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR JUDICIAL DITCH 20A

MURRAY COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR JUDICIAL DITCH 6

Dear Board of Commissioners:

At the most recent hearing, I recommended that the ditch authority proceed with the Redetermination of Benefits for both Judicial Ditch 6 and Judicial Ditch 20-A. It is my opinion that the time the engineering and viewing being performed for the purpose of an improvement are expenses normally incurred in the redetermination of benefits and, therefore, it's a natural and economical time to re-determine benefits. After reflecting on the matter further and discussing the matter with Kurt Deter, we were both of the opinion that undertaking a large redetermination project on Judicial Ditch 20-A could cause significant expense and significant delay in completion of the viewing for the improvement project.

The notice was given for the improvement project, but notice was not given that there might be a re-determination of benefits on Judicial Ditch 20-A.

Perhaps, we could all look at the size of the re-determination project closer than I did at the time of the recent hearing and discuss further the advantage of proceeding with a redetermination of benefits on Judicial Ditch 20-A. Mr. Deter felt that if the redetermination was to be pursued further, it would be a good idea to have an informational meeting before a final decision is made.

Please let me know if you want to have a hearing by phone conference with the members of the Joint Ditch Authority, myself and Mr. Deter, to review this further.

Yours truly,

Paul M. Malone
Attorney at Law
PMM:nb

JD 20A Meeting

It was moved by Commissioner Charlie Sanow, seconded by Commissioner Steve Ritter and passed to approve a Joint Ditch 20A meeting on June 17, 2014 at 2:00 p.m. in the Murray County Commissioner Room.

It was moved by Commissioner Steve Ritter, seconded by Commissioner Charlie Sanow and passed to approve to adjourn the Joint Ditch 20A meeting at 9:05 a.m.

Alternate Viewer Appointment

It was moved by Moline, seconded by Jens and passed to approve to appoint Dan Ruby as alternate viewer for Improvement and Redetermination of Benefits for Judicial Ditch 6 replacing Kevin Vickerman as alternate viewer as Mr. Vickerman is a benefitting landowner.

It was moved by Jens, seconded by Magnus and passed to approve a Joint Ditch 20A drainage meeting on June 17, 2014 at 2:00 p.m. to discuss and consider redetermination of benefits on JD 20A and discuss and impact on JD6.

Jan Voit gave the Heron Lake Watershed Annual presentation.

The County Board reviewed pictures of County Ditch 7 in section 10 of Cameron Township.

Warrants

A motion was duly made by Moline, seconded by Jens and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated May 20, 2014 with fund totals as follows and warrants numbered 142763 – 142844:

| | |
|---------------------------|-------------|
| County Revenue Fund | \$38,557.31 |
| County Road & Bridge Fund | 9,086.76 |
| EDA | 500.02 |
| County Ditch Fund | 44.00 |
| Sunrise Terrace | 1,224.54 |
| SAWSD | 324.00 |
| Total | \$49,736.63 |

Heidi Winter presented the following petitions for repair:

- #2014-015 (CD 22, 18-Holly Township, Jens)
- #2014-016 (CD 20, 2-Lowville Township, Moline)**
- #2014-017 (CD 20, 2 Lowville Township, Moline)
- #2014-018 (CD 43M, 16 Belfast Township, Jens)
- #2014-019 (CD 61, 2, Bondin, Thiner)
- #2014-020 (CD65, 9, Dovray, Jens) approved to jet roots versus rerouting tile

- #2014-021 (CD 43M, 17-Belfast, Jens) change to Bills Backhoe Service

A motion was made by Moline, 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.

10:00 a.m. Open Forum - Bob Gass was present and discussed the Veterans Memorial.

Ditch Bills

A motion was made by Jens, seconded by Magnus 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> |
|-------------------------------------|-----------------|-----------------|-------------------|------------------|
| Bill's Backhoe Services, LLC | | | | |
| | JD 13 | 300.00 | 2014-012 | Thiner |
| | CD 42 | 300.00 | 2014-006 | Jens |
| | CD 51 | 300.00 | 2014-007 | Jens |
| | Subtotal | 900.00 | | |
| Rinke Noonan | | | | |
| | JD20A | 1,733.00 | 2013-037 | Improvement |
| | CD35 | 263.00 | 2013-006 | Improvement |
| | JD6 | 1,733.00 | 2013-036 | Improvement |
| | Subtotal | 3,729.00 | | |
| Total for All Ditch Bills | | 4,629.00 | | |

Pay Application #2 for the County Ditch 82 Improvement Project

It was moved by Jens, seconded by Moline with all members of the Board voting their approval to accept the recommendation of the project engineer for the County Ditch 82 Improvement Project to authorize Pay Application Number2 for \$5,338.29 to Dave Hulstein Excavating, Inc.

Auditor/Treasurer Winter gave an update on an Election Conference.

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

RESOLUTION NO. 2014-05-20-01

RESOLUTION ESTABLISHING THE ABSENTEE BALLOT BOARD
(M.S. §203B.23)

WHEREAS, a governing body of any county, municipality or school district must authorize an absentee ballot board by ordinance or resolution to process regular absentee ballots, and

WHEREAS, that absentee ballot board must examine all returned absentee ballot envelopes for ballots issued under sections M.S. § 203B.16 to M.S. § 203B.27 and accept or reject the absentee ballots in the manner provided in section M.S. § 203B.24.

NOW THEREFORE BE IT RESOLVED, that the Murray County Auditor-Treasurer and all Deputy Auditor-Treasurers are hereby appointed to serve on the Murray County Absentee Ballot Board provided that he/she is not a candidate in the election for which absentee ballots are being accepted or rejected.

BE IT FURTHER RESOLVED, that the appointments granted in this resolution extend to all successors and shall remain in effect in perpetuity until revoked by resolution of the Murray County Board.

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

Parks Board Bylaws

It was moved by Jens, seconded by Thiner and passed to approve the changes to the Park Board bylaws.

Frontier Communications

It was moved by Moline, seconded by Giese and passed to approve and authorize the Auditor/Treasurer to sign a one year Frontier Communications maintenance contract in the amount \$2,808 from account codes:

| | |
|-----------------|---------|
| 01-012-015-6342 | 16% |
| 10-310-6342 | 9% |
| 01-503-503-6342 | 2% |
| 01-201-6342 | 20% |
| 01-062-6342 | Balance |

Symantec Maintenance Agreement

It was moved by Magnus, seconded by Jens and passed to approve a three year maintenance agreement with Symantec in the amount of \$9,819.32 from account code: 01-062-6452.

Amendment to Article XII A, SAWSD Inter municipal Agreement

It was moved by Jens, seconded by Magnus and passed to approve and authorize the Board Chair to sign the amendment to Article XII A, SAWSD Inter municipal Agreement, SWAG Grant.

Water Resources Administrator Hansen gave an update on the Surface Water Assessment Grant

It was moved by Giese, seconded by Thiner and passed to approve and authorize the Board Chair to sign a construction agreement with Greystone Construction for a salt shed.

The construction agreement with Zahl Equipment Service, Inc. will be considered at the May 27, 2014 County Board meeting as payment and performance bonds have not been received.

Randy Groves and Lisa Saner presented the 2013 Highway Department annual report.

It was moved by Magnus, seconded by Thiner and passed to approve the 2013 highway department annual report.

Community Relations Coordinator Riley gave an on the Southern Minnesota Tourism Association

Seasonal Highway Technician

It was moved by Magnus, seconded by Jens and passed to approve beginning the recruitment process for a seasonal highway technician. Voting in favor: Magnus, Jens, Moline, and Giese Opposed: Commissioner Thiner. Motion carried 4 to 1.

Engineering Technician Resignation

It was moved by Moline, seconded by Magnus and passed to approve to accept the resignation of Andrew Kuehl effective June 3, 2014.

Coordinator Heard gave an update on workers compensation training

It was moved by Thiner, seconded by Magnus and passed to approve and authorize the Board Chair and County Coordinator to sign the 2014 Boat and Water Safety Grant in the amount of \$15,267.00.

The County Board recognized Chief Deputy Randy Donahue regarding his retirement and years of service to Murray County.

The County Board discussed a dock at Lake Wilson.

Preferred One Data Disclosure

It was moved by Magnus, seconded by Moline and passed to approve and authorize the Board Chair to sign a data disclosure, confidentiality and indemnification agreement with Blue Cross Blue Shield and Preferred One.

End O Line Credit Card Machine

It was moved by Jens, seconded by Magnus and passed to approve purchasing a credit card machine in the amount of \$500.00 for the End O Line Park and Museum from account code: 01-521-560-6480.

It was moved by Magnus, seconded by Jens and passed to approve for any commissioner to attend the Agriculture Drainage and future of water quality meeting on June 26, 2014 in Mankato.

MCIT Training

It was moved by Moline, seconded by Magnus and passed to approve any Commissioner to attend the MCIT training on September 10, 2014 in Marshall.

The County Board discussed the AMC policy committee meeting held in September in Alexandria.

The Commissioners gave their committee reports for the period of April 27, 2014 to May 10, 2014.

John Giese reported on Hospital Board Special Meeting and Commissioner Board Meeting – April 30, Commissioner Board Meeting/Nurse’s Day at Hospital and Janet Timmerman Evaluation – May 6, Met with John Osse twice/MCIT Meeting and Met with adjuster Bruce Casey – May 8.

Gerald Magnus reported on Western Mental Health (No Per Diem Claimed) – April 28, Hospital Board Special Meeting and Commissioner Board Meeting – April 30, Ditch Inspection (JD#7) (Partial Per Diem Claimed) – May 2, Insurance Group Meeting – May 5, Commissioner Board Meeting – May 6, EDA Meeting (No Per Diem Claimed) – May 7, SRDC Meeting (No Per Diem Claimed) – May 8, Ditch Inspection (CD#68) (Partial Per Diem Claimed) – May 9.

Robert Moline reported on Meeting with Doctors at Hospital (Partial Per Diem Claimed) – April 29, Hospital Board Special Meeting – April 30, Area II and RCRCA Meeting – May 1, Southern Prairie Health Purchasing Alliance (Partial Per Diem Claimed) – May 2, Insurance Meeting – May 5, Commissioner Board Meeting – May 6, Ditch Inspection (JD#7) (Partial Per Diem Claimed) – May 9.

David Thiner reported on SMOC – April 28, Commissioner Board Meeting and Hospital Board Special Meeting – April 30, Parks Meeting – May 1, Commissioner Board Meeting – May 6, Buffalo Ridge Transit – May 8.

James Jens reported on Ditch Inspection (#51 & #42) (No Per Diem Claimed) – April 28, Meeting with Doctors at Hospital (Partial Per Diem Claimed) – April 29, Hospital Board Special Meeting – April 30, Parks Meeting – May 1, Commissioner Board Meeting – May 6, EDA

Meeting (No Per Diem Claimed) – May 7, Murray SWCD Meeting and Foundation Meeting – May 8.

It was moved by Moline, seconded by Jens and passed to approve the Commissioner Vouchers for the period of April 27, 2014 to May 10, 2014.

The meeting adjourned at 11:53 a.m.

ATTEST:

Aurora Heard, Murray County Coordinator

John Giese, Chairman of the Board

