

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
December 2, 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, James Jens and Glenn Kluis. 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 Vice-Chairman asked if there were any additions to the agenda. Several items were added.

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

Warrants

A motion was duly made by Magnus, seconded by Thiner and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated December 2, 2014 with fund totals as follows and warrants numbered 144741 – 144804:

County Revenue Fund	21,559.20
County Road & Bridge Fund	25,358.42
Sunrise Terrace	1,128.04
SAWS	148.00
Total	48,193.66

No ditch petitions were filed for the December 2, 2014 meeting.

Ditch Bills

A motion was made by Moline, 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>
Onken Backhoe				
	JD 3	245.00	2014-008	Jens
	Subtotal	245.00		
Total for All Ditch Bills		245.00		

Historical Museum Repair Quotes – The quote will be sent in to MCIT.

At 9:01 a.m. Drainage Authority Vice-Chairman James Jens opened a hearing regarding JD 2 Removal of a landowner hearing

Drainage Authority Board Members present were Gerald Magnus, James Jens, Robert Moline, Glenn Kluis and David Thiner. Also present were Heidi E. Winter, Auditor-Treasurer; Paul Malone, County Attorney; Aurora Heard, County Coordinator; Jeff Braegelman, petitioner attorney; Ron Holinka, Mike Onken, Ron Kirchner, Don Reith, Katie Beers; media and Dorothy Bloemendaal; media

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

The Petitioner’s Attorney Jeff Braegelman commented on the project.

9:35 a.m. Vice-Chairman Jens asked for comments and questions from the public.

It was moved by Thiner, seconded by Moline to find the Kirchner property will not significantly or regularly use the system, it will not benefit from the system, and that removing the property from the draining system will not prejudice the property owners and the property remaining in the system and that Ron Kirchner pays half the costs incurred for providing notice of these proceedings and one-half of the engineering fees incurred in connection with these proceedings.and the eight inch tile will be disconnected.

Voting in Favor: Moline, Kluis, Thiner and Jens
 Abstained: Magnus
 Motion carried 4 to 0.

STATE OF MINNESOTA
 COUNTY OF MURRAY

In Re:

Murray County Judicial Ditch No. 2,
 Murray County, Minnesota.

FINDINGS AND ORDER ON PETITION FOR REMOVAL
 OF PROPERTY FROM A DRAINAGE SYSTEM

This matter came before the Murray County Board of Commissioners, acting as the drainage authority for Murray County Judicial Ditch No. 2, Murray County, Minnesota, on December 2, 2014, for a hearing and proceedings on the Petition for Removal of Property from a Drainage System filed by the Petitioner identified herein. Based upon those proceedings, the drainage authority hereby makes the following:

FINDINGS

1. Murray County Judicial Ditch No. 2 (“JD 2”) is a public drainage system in Murray County, Minnesota.
2. The Murray County Board of Commissioners is the drainage authority for JD 2.
3. Petitioner is The Ronald F. Kirchner and Diane J. Kirchner Revocable Trust Dated December 16, 2009.
4. The Petitioner owns property consisting of the Southwest Quarter of Section 2-105N (Bondin Township) -40W, Murray County, Minnesota, less approximately 5 acres. Petitioner’s property is currently assessed for benefits for JD 2.
5. Petitioner has constructed a private tile system that is not connected to JD 2 and will not outlet into or otherwise use JD 2.
6. The waters from Petitioner’s property have been diverted from JD 2, or Petitioner’s property cannot significantly or regularly use the JD 2 drainage system.
7. Petitioner’s property is not benefited by the JD 2 drainage system.
8. Removing Petitioner’s property from the JD 2 drainage system will not prejudice property owners and property remaining in the JD 2 drainage system.
9. Notice of the hearing on the Petition was provided in the manner required by Minnesota Statutes.
10. Petitioner agreed to reimburse the drainage authority for one-half of the costs incurred for providing notice of these proceedings and one-half of the engineering fees incurred in connection with these proceedings.
11. Petitioner agreed that if the Petition is granted, Petitioner will disconnect that portion of the buried tile of JD 2 where it enters the north line of Petitioner’s property.

ORDER

Based upon the above Findings, it is ordered that:

- a. Petitioner’s property, as described above, is hereby removed from JD 2;

b. Petitioner will sever or otherwise disconnect the JD 2 tile line at the northerly boundary of Petitioner's property; and

c. Petitioner will reimburse the drainage authority for one-half of the expenses incurred for providing notice of these proceedings and one-half of the engineering expenses incurred in connection with these proceedings.

MURRAY COUNTY BOARD
OF COMMISSIONERS, acting as the
Drainage Authority for Murray County
Judicial Ditch No. 2, Murray County, MN

Dated: _____

By: _____

Printed Name: _____

Its: _____

10:18 a.m. – Open Forum – No members of the public were present.

Wired Microphone

It was moved by Kluis, seconded by Thiner and passed to approve a quote in the amount of \$425 to install a wired microphone in the Commissioners Room with a flexible holster mount that is adjustable for the speaker installed.

2014 State Homeland Security Program (SHSP) Grant

It was moved by Magnus, seconded by Moline and passed to approve and authorize the Board Chair and County Coordinator to sign the 2014 State Homeland Security Program (SHSP) Grant.

Routematch Agreement – Buffalo Ridge Transportation Program

It was moved by Thiner, seconded by Magnus and passed to approve and authorize the Vice-Chair to sign the 2014 Software License and Services Agreement for Routematch Software, Inc., Pipestone County Transit, Rock County, Murray County, and Nobles County.

The 2013 MCIT Annual Report was distributed.

County Credit Card

It was moved by Moline, seconded by Kluis and passed to approve Jim Reinert retain the county credit card issued to him.

The County Board reviewed the 2015 ditch levies.

The County Board reviewed the FEMA ditch claims.

12:34 p.m. It was moved by Moline, seconded by Magnus and passed to approve going into closed session pursuant to Minnesota Statute 13D.03, labor negotiations strategy.

The following were present: Commissioners Gerald Magnus, Robert Moline, David Thiner, James Jens and Glenn Kluis. Also present Aurora Heard, County Coordinator.

1:13 p.m. It was moved by Moline, seconded by Thiner and passed to approve coming out of closed session.

1:18 p.m. The meeting was recessed until Truth in Taxation at 6:00 p.m.

The meeting reconvened at 6:00 p.m. for the 2015 Truth in Taxation Budget Hearing.

All Board members were present. Others present: Heidi E. Winter and 8 members from the public.

Winter gave a power point presentation on the 2015 County Levy and Budget. No action was taken.

6:51 p.m. It was moved by Thiner, seconded by Moline and passed to adjourn.

ATTEST: _____
Aurora Heard, County Coordinator

James Jens, Vice-Chairman of the Board