

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
March 17, 2015 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners James Jens, Robert Moline, Gerald Magnus, Glenn Kluis, and David Thiner. Also present Ronda Radke, Assistant Human Resources Director, Heidi Winter, Auditor-Treasurer, and Travis Smith, 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 March 3, 2015

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

Warrants

A motion was duly made by Moline, seconded by Kluis and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated March 17, 2015 with fund totals as follows and warrants numbered 145666 through 145750:

County Revenue Fund	59,491.27
County Road & Bridge Fund	20,696.47
EDA	231.85
Sunrise Terrace	1,520.87
SAWSD	148.00
 Total	 82,088.46

Ditch Bills

A motion was made by Magnus, seconded by Jens, 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.

<b><u>Bolton &amp; Menk, Inc</u></b>				
	JD 3	5,612.50	2012-018	Improvement
	JD 3	375.00	2012-018	Improvement/Cleanout
	CD 35	1,984.50	2013-006	Improvement
	CD 61	2,245.50	2014-070	Improvement
	<b>Subtotal</b>	<b>10,217.50</b>		
<b><u>Rinke Noonan</u></b>				
	CD 35	125.00	2013-006	Improvement
	JD 3	1,665.50	2012-018	Improvement
	<b>Subtotal</b>	<b>1,790.50</b>		
<b><u>Gislason &amp; Hunter LLP</u></b>				
	CD 73	275.00	2013-042	Improvement
	<b>Subtotal</b>	<b>275.00</b>		
<b>Total for All Ditch Bills</b>		<b>12,283.00</b>		

Consider Motion setting Hearing Date for County Ditch 61 Improvement

It was moved by Moline, seconded by Thiner and passed to set the Preliminary Hearing for the Improvement of County Ditch 61 (Petition #2014-070) for Tuesday, April 14, 2015 at 9:00 a.m. in the Commissioner Room of the Murray County Government Center.

Consider Motion setting Hearing Date for County Ditch 73

It was moved by Magnus, seconded by Kluis and passed to set the Final Hearing for the Improvement of Main Tile and Lateral No. 1 of County Ditch 73 (Petition #2013-042) for Tuesday, April 14, 2015 at 11:00 a.m. in the Commissioner Room of the Murray County Government Center.

Swenson Park Bathroom Project

It was moved by Moline, seconded by Kluis and passed to approve Pay Application No. 4 to Doom & Cuypers Construction, Inc. for the Swenson Park Bathroom Project in the amount \$2,058.65.

Heidi Winter presented the following petitions for repair:

- #2015-004 (JD 18, 9-Shetek Township, Jens)
- #2015-0050 (CD 67, 34-Mason Township, Jens)

A motion was made by Jens, 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 Commissioners meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota.

George Erbes met with the Board to discuss the installation of a private crossing/bridge on JD 20A (Petition #2015-003, 12-Shetek Township). Action on the petition was continued to March 24, 2015, pending a legal review of ways for the ditch authority to mitigate future liability, maintenance and costs. No Board action was taken.

#### 4-H Building Rentals

It was moved by Moline, seconded by Thiner and passed to approve Style Stables request to rent the 4-H building for a tack auction on March 28, 2015.

It was moved by Magnus, seconded by Jens to approve The Murray County Foundation's request to hold a wine tasting fund raiser at the 4-H building on April 18, 2015 with The Grain Exchange catering the event.

Thiner moved to amend the preceding motion to require that the event caterer have the appropriate liquor license and insurance to serve liquor at the 4-H Building.

Amendment was moved by Thiner, seconded by Jens and passed to approve The Murray County Foundation's request to hold a wine tasting fund raiser at the 4-H building on April 18, 2015 with The Grain Exchange catering the event, provided that the Grain Exchange has the appropriate liquor license and insurance to serve liquor at the 4-H Building.

#### Proposed Resolution Authorizing Settlement of the Veteran's Preference Claim of Darrell Gleason

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

Resolution 2015-03-17-01  
Authorizing Settlement of the Veteran's Preference Claim of Darrell Gleason.

WHEREAS, Darrell A. Gleason has been employed by the Sheriff's department of Murray County as a Deputy Sheriff without regular assignment;

WHEREAS, Sheriff Telkamp notified Mr. Gleason on December 12, 2014 that his employment was being terminated;

WHEREAS, Mr. Gleason has filed a petition with the Minnesota Commissioner of Veterans Affairs claiming that the County has violated his rights under the veterans preference statute, Minn. Stat. § 197.45; and

WHEREAS, the Board, after being advised by counsel, believes that it is the best interest of the County to compromise and settle the dispute with Mr. Gleason,

BE IT RESOLVED,

The Board's retained counsel of record is authorized to settle the veterans preference claim of Darrell A. Gleason by payment of fifteen thousand dollars (\$15,000.00) in exchange for a release of his claims against the County and dismissal of the pending administrative proceeding; and

The Auditor Treasurer shall disburse fifteen thousand dollars, from the payroll account to Darrell A. Gleason in payment of the settlement on the pay date of April 9, 2015 by direct deposit into the account the individual already has set up with Murray County.

This resolution was duly adopted at a regular meeting of the Murray County Board of Commissioners on March 17, 2015 by a roll call vote consisting of: Gerald Magnus – yes; Robert Moline – yes; James Jens – yes; Glenn Kluis – yes; Dave Thiner - yes.

#### Landfill Loader Discussion

#### Recycling Shed

It was moved by Thiner, seconded by Kluis and passed to purchase a second recycling shed for Lake Wilson in the range of \$1,700.00.

#### Feedlot Report

It was moved by Moline, seconded by Magnus and passed to approve the 2014 Annual County Feedlot Officer Annual Report and Performance Credit Report.

#### Short Elliott Hendrickson, Inc. (SEH) Agreement for Professional Services

It was moved by Magnus, seconded by Jens and passed to approve the Short Elliott Hendrickson, Inc. (SEH) Agreement for Professional Services.

Discussion on the Des Moines River Watershed Linking Land Use and Water Quality Meeting in Fulda on March 26, 2015

The Legends Building is being used for offsite storage.

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

#### Seasonal Positions

It was moved by Jens, seconded by Magnus and passed to approve the hiring of Anita Gaul as a Seasonal Museum Curator with a start date of April 1, 2015 at \$16.86 per hour.

It was moved by Moline, seconded by Kluis and passed to approve the hiring of Anita Gaul as a Grant Funded Museum Curator with a start date of April 1, 2015 at \$16.37 per hour.

It was moved by Thiner, seconded by Jens and passed to approve the hiring of the following seasonal positions: Paige Roberts as a Museum Assistant with a start date of May 1, 2015 at \$9.40 per hour; Page Roberts as a Collections Inventory Assistant with a start date of April 1, 2015 at \$12.10 per hour; Haley Bose as a Museum Assistant with a start date of May 11, 2015 at \$9.20 per hour; Aaron Boock as a Highway Surveying Technician with a start date of May 11, 2015 at \$10.35 per hour; Travis Radke as a Soil & Water District Aide with a start date of April 27, 2015 at \$9.81 per hour; Haleigh Ortmeier-Clarke as a Extension Summer Intern with a start date of May 18, 2015 at \$9.81 per hour.

#### Deputy Sheriff PERA Resolution

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

RESOLUTION 2015-03-17-02  
RESOLUTION FOR PEACE OFFICER  
REQUESTING COVERAGE IN THE PUBLIC EMPLOYEES  
POLICE AND FIRE FUND

WHEREAS, the policy of the State of Minnesota declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivision to request coverage in the Public Employees Police and Fire Plan for eligible employees of police departments whose position duties meet the requirements stated there in and listed below.

BE IT RESOLVED that the Sheriff's Office of Murray County, hereby, declares that the position title Deputy Sheriff currently held by Ryan Baker, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position give this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that Ryan Baker be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction on March 15, 2015 by the governmental subdivision.

STATE OF MINNESOTA  
COUNTY OF MURRAY

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

Recognition for National Service

Commissioner Kluis presented the following proclamation and moved for its adoption:

Proclamation - Recognizing April 7, 2015,  
As National Service Day

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet county needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with county executives nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National Association of Counties and county executives across the country for the County Day of Recognition for National Service on April 7, 2015.

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

#### Credit Card Request

It was moved by Magnus, seconded by Kluis to approve a Credit Card Issue requested by Bryan Bose. After discussion the motion was put to a vote and failed 3 to 2.

At 10:30 a.m. the Board Chair called for bids for 2015 Bituminous Overlays projects: SAP 51-629-030, SAP 51-638-023, and SAP 51-639-006:

Central Specialties Inc.	\$2,630,709.77
Duininck Inc.	\$1,924,108.58
Hardrives, Inc.	\$2,177,719.74
Knife River Corporation	\$1,866,710.77
McLaughlin & Schulz, Inc.	\$2,126,559.39

At 10:36 a.m. the Board Chair called for bids for 2015 Centerline & Edgeline Striping project: CP 01-15:

AAA Striping Service	\$77,851.53
Fahrner Asphalt Sealers, LLC	\$96,161.92
Swanson Equipment CO.	\$98,047.14
Traffic Marking Service, Inc.	\$74,442.00

At 10:40 a.m. the Board Chair called for bids for 2015 County Seal Coat project: CP 02-15:

Astech Corp.	\$274,667.40
Bituminous Paving, Inc.	\$323,318.32
Caldwell Asphalt CO., Inc.	\$277,240.78
Fahrner Asphalt Sealers, LLC	\$354,745.58

McLaughlin & Schulz, Inc.	\$292,875.76
Morris Sealcoat & Trucking, Inc.	\$278,072.33
Scott Construction, Inc.	\$349,870.28
The Road Guy Constr. Co. Inc.	\$348,268.48

Frigidaire for Highway Department

It was moved by Thiner, seconded by Kluis and passed to approve the purchase of a refrigerator for the Highway Department from the lowest bid of Sears at \$512.00. The motion passed 3 to 2.

Discussion on Oil Filters for the Highway Department

Murray County Aquatic Invasive Species Prevention and Management Plan Discussion

Amy Rucker gave an update on MAPCED Meeting

Schedule Public Hearing for Monogram Meat Snacks

It was moved by Moline, seconded by Magnus and passed to schedule a Public Hearing for Monogram Meat Snacks for the purposes of providing information and receiving citizens' comments regarding the submission of an application to the Minnesota Department of Employment and Economic Development's Minnesota Investment Fund on behalf of Monogram Meat Snacks, LLC for Tuesday, April 14, 2015 at 8:30 am. in the Commissioner Room in the Government Center at a special meeting.

The Commissioners gave their committee reports for the period of March 1, 2015 to March 14, 2015.

James Jens reported on Commissioner Board Meeting – March 3, AMC Conference – March 4 – 6, Meeting with Mark Fox – March 8, SAWS Meeting – March 9, Township Meeting District 1 – March 10, Soil & Water Meeting – March 11.

Gerald Magnus reported on Commissioner Board Meeting – March 3, AMC Conference – March 4 & 5, SRDC (No Per Diem Claimed) – March 6, Township Meeting (No Per Diem Claimed) – March 10, Drainage Group – March 11, Fairgrounds Advisory Meeting – March 12, ATP 8 (No Per Diem Claimed) – March 13.

Robert Moline reported on Commissioner Board Meeting and AMC Conference – March 3, AMC Conference – March 4 & 5, Area II and RCRCRA Meetings – March 6, SAWS (Partial Per Diem Claimed) – March 9, Township Meetings District 2 – March 10, Ditch Inspection (#26) (Partial Per Diem Claimed) – March 12, Mental Health (No Per Diem Claimed) – March 13.

David Thiner reported on Commissioner Board Meeting and AMC Conference – March 3, AMC Conference – March 4 & 5, Township Meeting – March 10, Jackson Drainage Meeting Watershed Committee – March 11.

Glenn Kluis reported on Commissioner Board Meeting and AMC Conference – March 3, AMC Conference – March 4 & 5, Fairgrounds Advisory Committee – March 12.

It was moved by Moline, seconded by Thiner, and passed to approve the Commissioner Vouchers for the period of March 1, 2015 to March 14, 2015.

Robert Moline gave a update on the AMC Conference the Commissioners had attended in February.

Discussion on the Alliance in the REA.

Discussion on Highway 59 Construction from Slayton to Fulda.

Discussion on the Jackson County Meeting of developing a legislative proposal to clarify the roles of the Drainage Authority and Watershed District.

Discussion on Ditch Inspection

11:10 a.m. Randy Groves called and verified the bids tabulated correctly for bids for 2015 Bituminous Overlay projects except for Hardrives, Inc. which was \$2,178,191.70.

It was moved by Moline, seconded by Thiner and passed to award the 2015 Bituminous Overlay bid to Knife River Corporation for \$1,866,710.77.

11:10 a.m. Randy Groves called and verified the bids tabulated correctly for bids for 2015 Centerline & Edgeline Striping project.

It was moved by Thiner, Seconded by Moline and passed to award the 2015 Centerline & Edgeline Striping bid to Traffic Marking Service, Inc. for \$74,442.00.

11:10 a.m. Randy Groves called and verified the bids tabulated correctly for bids for 2015 Seal Coat project except for Fahrner Asphalt Co., LLC which was \$354,745.59.

It was moved by Magnus, seconded by Kluis and passed to award the 2015 Seal Coat project to Astech Corp. for \$274,667.40.

Continued discussion on the Ditch Inspection

11:54 a.m. The meeting was adjourned.

ATTEST: \_\_\_\_\_  
Ronda Radke, Assist Human Resources Dir.

\_\_\_\_\_  
James Jens, Chairman of the Board