

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
December 29, 2015 8:00 a.m.

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

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

No conflicts of interest were identified.

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

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

Warrants:

A motion was duly made by Magnus, seconded by Jens and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated 12/29/2015 with fund totals as follows and warrants numbered 148283 – 148365:

County Revenue Fund	36,201.98
County Road & Bridge Fund	16,828.83
EDA	289.96
Ditch	136.00
Sunrise Terrace	875.08
Lime Creek Service District	1,241.23
Total	55,573.08

It was moved by Moline, seconded by Jens and passed to approve the 2016 tobacco license renewals in accordance to Murray County Tobacco Ordinance No. 98-10-6-1 for the following establishments:

- M004 - Carlson's Corner - DeAnn and Jeff Carlson
- M005 - Ruppert Oil - Michael D. Ruppert
- M003 - Pete's Corner - Joyce and Peter Bloemendaal
- M006 - Chandler Coop (dba Cenex Convenience Store - Lake Wilson) – Kevin Deveraux
- M009 - Avoca Municipal Liquor Store – City of Avoca
- M014 – Roger Hamann – Trails Edge General Store

Further moving that approval is contingent upon receipt of all required paperwork in the Auditor-Treasurer's Office.

Approval of 2015 CWP Loans as special assessments in 2016

It was moved by Magnus, seconded by Moline and passed to certify the 2015 CWP Septic System Loans as special assessments for taxes payable in 2016 as follows:

<b><u>Murray County Septic Lien Program, at 4% interest as follows:</u></b>					
<b>Loan #</b>	<b>Recorded On</b>	<b>Name</b>	<b>Parcel Number</b>	<b>Loan Amount</b>	<b>Term</b>
131	11/6/2015	Mike and Renee Baerenwald	02-034-0050	\$13,380.00	10 years
126	9/4/2015	Todd and Abigail Drake	03-001-0041	\$11,900.63	10 years
128	9/14/2015	Amanda DeZeeuw	03-004-0050	\$2,641.24	10 years
125	8/28/2015	Richard Reese	03-019-0050	\$11,949.61	10 years
127	9/10/2015	Bryan and Mary Jo Bose	04-012-0030	\$9,247.12	10 years
129	9/30/2015	Dave and Sissa Bitton	11-008-0040	\$10,000.00	10 years
130	10/13/2015	Earl and Barb Radke	17-003-0050	\$11,423.43	10 years
124	5/26/2015	Tom and Messica Mitchell	18-148-0120	\$8,207.57	10 years
133	12/4/2015	Adam LeClaire and Christina Johnson	24-020-0071	\$11,850.00	10 years
			<b>Total</b>	<b>\$90,599.60</b>	

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

Resolution 2015-12-29-01  
 A Resolution Setting the 2016 Levies for County  
 and Judicial Drainage Systems in Murray County

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners, acting as the Drainage Authority in Murray County set levies to be collected as special assessments in 2016 for County and Judicial Drainage Systems located within Murray County as follows:



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

Commissioner Magnus presented the following resolution and moved for its adoption.

Resolution 2015-12-29-02  
A Resolution Setting the Solid Waste Assessment for 2016

WHEREAS, Resolution No. 04-11-96 reaffirmed the establishment of a Solid Waste Assessment for years after 1991; and

WHEREAS, Said Resolution states that the future years assessments may be modified or adjusted based upon circumstances existing in such future years

NOW THEREFORE BE IT RESOLVED, That the Solid Waste Assessment for 2016 be set at 100% the amount reaffirmed by Resolution No. 04-11-96.

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

Commissioner Jens presented the following resolution and moved for its adoption.

RESOLUTION NO. 2015-12-29-03  
A Resolution Setting the E911 Assessment for 2016

WHEREAS, Resolution No. 2003-02-18-02 established a ten-year assessment for maintaining E911 rural address signs.

NOW THEREFORE BE IT RESOLVED, That said Resolution establishing a special assessment is hereby ratified at \$3.00 and extended for assessments payable in 2016 for all parcels requiring future maintenance of E911 rural address signs.

BE IT FURTHER RESOLVED, That funds from these assessments be committed as fund balance.

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

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

Resolution 2015-12-29-04  
A Resolution setting the Murray County  
Beaver Control Fee for 2016

WHEREAS, certain types of public property including county roads, ditches, and parks can be adversely affected by nuisance beaver, and

WHEREAS, Murray County occasionally needs to purchase services to have nuisance beaver removed and to provide the necessary financial incentives that service providers require, and

NOW THEREFORE BE IT RESOLVED, that the Murray County Beaver Control Fee for 2016 is set at \$60 per nuisance beaver that are adversely affecting any county road, ditch or park.

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

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

Resolution 2015-12-29-05  
A Resolution Setting the 2016 Pocket Gopher Bounty

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners set the 2016 Pocket Gopher Bounty at \$2.00.

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

It was moved by Moline, seconded by Thiner and passed to table Ditch Inspection Report 2015-083 (JD 19, 31-Lowville Township, District 2) until the January 5, 2016 meeting.

A motion was made by Moline, seconded by Magnus and carried that the Commissioners in conjunction with the appointed ditch inspector in and for the County of Murray, have examined and inspected 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 ordered said repairs to be made, by this report given thereon at a Murray County Board of Commissioner's meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota.

- #2015-085 (CD 20, 3 & 4 – Lowville Township, District 2)

A motion was made by Jens, seconded by Thiner and carried that the Commissioners in conjunction with the appointed ditch inspector in and for the County of Murray, have examined and inspected 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 ordered said repairs to be made, by this report given thereon at a Murray County Board of Commissioner's meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota.

- #2015-086 (JD 11, 32 Belfast Township, District 1)

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>Commissioner</u>
<b><u>Onken Backhoe</u></b>				
	CD 26	38,547.50	2014-093	District 2 - Moline
	<b>Subtotal</b>	<b>38,547.50</b>		
<b><u>Loo Con, Inc</u></b>				
	CD 30	1,792.73	2014-090	District 1 - Jens
	CD 24	455.55	2015-031	District 1 - Jens
	<b>Subtotal</b>	<b>2,248.28</b>		
<b><u>Cooreman Contracting</u></b>				
	JD 20A	2,845.80	2015-061	District 1 - Jens
	<b>Subtotal</b>	<b>2,845.80</b>		
<b><u>Johnson Ditching, Inc</u></b>				
	JD 14	110.00	2015-049	District 2 - Moline
	CD 34	8,808.40	2015-082	District 2 - Moline
	JD 14	10,164.00	2015-068	District 2 - Moline
	<b>Subtotal</b>	<b>19,082.40</b>		
<b><u>Daniel Ruby (Viewer)</u></b>				
	CD 61	179.18	2014-076	CD 61 Improvement
	<b>Subtotal</b>	<b>179.18</b>		
<b><u>Rinke Noonan</u></b>				
	JD 3	225.00	2012-018	JD 3 Improvement
	Admin	200.00	Retainer Agreement	
	<b>Subtotal</b>	<b>425.00</b>		
<b><u>Bolton &amp; Menk, Inc</u></b>				
	CD 61	135.00	2014-070	CD 61 Improvement
	JD 8	1,380.00	2014-085	JD 8 Improvement
	JD 3	440.00	2012-018	JD 3 Improvement
	CD 35	500.00	2013-006	CD 35 Improvement
	CD 73	432.50	2013-042	CD 73 Improvement
	<b>Subtotal</b>	<b>2,887.50</b>		
<b>Total for All Ditch Bills</b>		<b>66,215.66</b>		

#### County Ditch 34

It was moved by Thiner, seconded by Magnus to approve a contractor repairing the altered drop structure on County Ditch 34 as the drop structure is out of repair.

Voting in Favor:

Magnus, Jens, Kluis, and Thiner

Opposed: Moline

Motion carried 4 to 1.

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

County Engineer Groves reviewed the 2016 highway department budget.

#### Snap On Tool Box

It was moved by Thiner, seconded by Magnus and passed to approve purchasing a snap on tool box in the amount \$9,860 with a trade in of \$600 for a net amount of \$9,260 from the 2016 budget and account code: 10-340-6650.

#### Fidlar Contract

It was moved by Moline, seconded by Kluis and passed to approve and authorize the Board Chair sign a three year contract extension with Fidlar Corporation.

Commissioner Magnus introduced the following resolution and moved its adoption:

Resolution 2015-12-29-06  
A Resolution Amending the 2015 Budget

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners approve amendments to the 2015 Budget and based on a Budget Amendment Document kept on file in the Murray County Auditor-Treasurer's Office.

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

Commissioner Thiner introduced the following resolution and moved its adoption:

RESOLUTION 2015-12-29-07  
A Resolution Setting the 2016 Budget

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners set the 2016 Budget with Fund Totals as follows and based on a Budget Document kept on file in the Murray County Auditor-Treasurer's Office.

<b>2016 Budgeted Governmental Funds</b>	<b>Revenue</b>	<b>R&amp;Br</b>	<b>Human Services</b>	<b>Economic Development</b>	<b>Ditch</b>	<b>Debt Service</b>	<b>Totals</b>
<b>Revenues</b>							
Taxes	4,928,263	1,129,727	1,120,639			350,783	7,529,412
Special Assessments	264,984	0			482,752		747,736
License and Permits	28,470	4,400					32,870
Intergovernmental	976,555	4,765,106	33,275		20,492		5,795,428
Charges for Services	400,980	17,500					418,480
Fines and Forfeits	0	0					0
Investment Earnings	31,000	0		19,062			50,062
Gifts and Contributions	1,300	0					1,300
Miscellaneous	235,530	75,100		134,464			445,094
Other Sources	0	0					0
<b>Total Revenues</b>	<b>6,867,082</b>	<b>5,991,833</b>	<b>1,153,914</b>	<b>153,526</b>	<b>503,244</b>	<b>350,783</b>	<b>15,020,382</b>
<b>Expenditures</b>							
General Government	2,856,417	0					2,856,417
Public Safety	1,917,032	0					1,917,032
Highways and Streets	0	6,114,444					6,114,444
Human Services	0		1,153,914				1,153,914
Sanitation	381,520						381,520
Culture and Recreation	918,932						918,932
Conservation of Natural Resources	782,425				209,500		991,925
Economic Development	2,140			191,847			193,987
General Obligation Debt Services	0				212,576	335,958	548,534
Community Health	74,163						74,163
Water Quality Loan Program	37,792						37,792
<b>Total Expenditures</b>	<b>6,970,421</b>	<b>6,114,444</b>	<b>1,153,914</b>	<b>191,847</b>	<b>422,076</b>	<b>335,958</b>	<b>15,188,660</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>(103,339)</b>	<b>(122,611)</b>	<b>0</b>	<b>(38,321)</b>	<b>81,168</b>	<b>14,825</b>	<b>(168,278)</b>
<b>Other Sources (Uses)</b>							
Transfers In				127,029			<b>127,029</b>
Transfers Out	(127,029)						<b>(127,029)</b>
Loans Issued	0						<b>0</b>
Sale of Capital Asset		85,000					<b>85,000</b>
<b>Total Other Sources (Uses)</b>	<b>(127,029)</b>	<b>85,000</b>	<b>0</b>	<b>127,029</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Planned Changes to Fund Balance</b>	<b>(230,368)</b>	<b>(37,611)</b>	<b>0</b>	<b>88,708</b>	<b>81,168</b>	<b>14,825</b>	<b>(83,278)</b>

The foregoing resolution was duly seconded by Commissioner Jens and thereupon being put to a vote the following members voted in favor: Thiner, Kluis, Magnus, Jens  
Opposed: Moline.  
Motion carried 4 to 1.

### 2016 Non-Union Salary Adjustment

It was moved by Moline, seconded by Kluis and passed to approve a 2% wage scale adjustment for all non-union employees in 2016 with a step with a completed satisfactory performance evaluation effective January 1, 2016.

### 2016 Mileage Rate

The County mileage reimbursement rate will decrease to .54 per mile, pursuant to Murray County Resolution 2001-12-31-05, which follows the Federal Mileage Reimbursement rate.

### 2016 Fee Schedule

It was moved by Thiner, seconded by Kluis and passed to set a public hearing for 9:30 a.m. on January 19<sup>th</sup>, 2016 for the proposed 2016 fee schedule.

Commissioner Magnus introduced the following resolution and moved its adoption:

RESOLUTION NO. 2015-12-29-08  
2016 County Attorney Salary

NOW THEREFORE BE IT RESOLVED, that the 2016 annual salary for the County Attorney pursuant to M.S. § 388.18 is \$ 71,500

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

Commissioner Thiner introduced the following resolution and moved its adoption:

RESOLUTION NO. 2015-12-29-09  
2016 County Sheriff Salary

NOW THEREFORE BE IT RESOLVED, that the 2016 annual salary for the County Sheriff pursuant to M.S. § 387.20 is ~~\$81,500~~- \$84,000;

The foregoing resolution was duly seconded by Commissioner Moline

It was moved by Magnus, seconded by Jens to amend Resolution Number 2015-12-29-09 by striking \$81,500 and inserting \$84,000. Voting in Favor: Jens, Magnus, Thiner, Kluis

Opposed: Moline

Motion carried 4 to 1.

The amended resolution thereupon being put to a vote, all members of the Board voted for its adoption.

Commissioner Moline introduced the following resolution and moved its adoption:

RESOLUTION NO. 2015-12-29-10  
2016 County Recorder Salary

NOW THEREFORE BE IT RESOLVED, that the 2016 annual salary for the County Recorder pursuant to M.S. § 386.015 is \$62,500;

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.

Commissioner Thiner introduced the following resolution and moved its adoption

RESOLUTION NO. 2015-12-29-11  
2016 County Auditor/Treasurer Salary

NOW THEREFORE BE IT RESOLVED, that the 2016 annual salary for the County Auditor/Treasurer pursuant to M.S. § 384.151/385.373 is ~~\$75,000~~ \$73,600;

The foregoing resolution was duly seconded by Commissioner Kluis

It was moved by Magnus, seconded by Moline to amend Resolution Number 2015-12-29-11 by striking \$75,000 and inserting \$73,600. Voting in Favor: Magnus, Moline, Jens, Kluis, Thiner  
Opposed: None  
Motion carried 5 to 0

The amended resolution thereupon being put to a vote, all members of the Board voted for its adoption.

Commissioner Moline introduced the following resolution and moved its adoption:

Resolution 2016-12-29-12  
A Resolution Setting County Commissioner Salary and  
Adopting Schedule of Per Diem for 2016

NOW THEREFORE BE IT RESOLVED, that the annual salary for 2016 for Murray County Commissioner be set at \$19,776.00

BE IT FURTHER RESOLVED that the following Schedule of Per Diem of \$80.00 is hereby established for 2016 for the following boards, committees or commissions of county government, including Committees of the Board as follows:

The foregoing resolution was duly seconded by Commissioner Kluis

It was moved by Magnus, seconded by Jens to amend Resolution Number 2015-12-29-12 by striking \$19,776 and inserting \$20,000.

Voting in Favor: Jens and Magnus  
Opposed: Kluis, Moline, Thiner

The amendment failed 3 to 2.

The amendment having failed, the Board proceeded to vote on the original resolution with all members of the Board voting for its adoption.

<b>NAME OF BOARD/COMMITTEE</b>
911
Aquatic Invasive Species Committee
Airport Commission
Appeals Board for Weeds
Area Coordinator on Aging
Association of MN Counties (AMC)
Advocating, Connecting, Educating (ACE)
Audit
Building/Facilities Committee
Building Audit Expense Committee
Buffalo Ridge Transit
Canvas Board
Casey Jones Trail/Regional Trails/RDC Trails Committee
Clean Water Partnerships
County and State Aid Highways
Developmental Achievement Center (DAC)
District 8 Land Use
Ditch Systems - County and Judicial
Economic Development Authority (EDA)
Extension
Murray County Ag Society/Fairboard
Fairground Advisory
Health Alliance - Murray County
Heron Lake Restoration
Heron Lake Watershed District (HLWD)
HLWD Board of Managers
Insurance
Investment
Law Library Committee
Labor Negotiation
Local Water Management Plan
MN Counties Intergovernmental Trust (MCIT)
MN Early Childhood Initiative
MN River Basin (Area II)
Mutual Aid Committee
Museums Liason
National Association of Counties (NACO)
Noise Committee

Parks Recreation Advisory Commission
Personnel
Planning Commission
Plum Creek Library
Prairie Ecology Bus - from 12/29/11 Meeting
Redwood-Cottonwood Rivers Control Area
SAWS
Soil and Water Conservation District
Solid Waste Official
Southern Prairie Community Care
SW MN Opportunity Council (SMOC)
SW MN Private Industry Council (PIC)
Chief Elected Officials Board (CEOB)
SW Minnesota Regional Public Safety Board
SW Regional Radio Board
Southwest Public Sector Collaborative - Insurance
SW Regional Development Commission
SW Solid Waste Commission
State Revolving Fund (Ag BMP)
SW Solid Waste Commission
Southwest Health and Human Services
Supporting Hands Nurse Family Partnership
Sunrise Terrace Advisory
Western Mental Health Center

Aquatic Invasive Species Fund End of Year Transfers

It was moved by Thiner, seconded by Jens and passed to approve transferring \$7,244.30 of AIS funds from 01-629-000-0000-5218 to 01-630-631-0000-5218.

It was moved by Moline, seconded by Jens and passed to approve paying ½ the organizational study in 2016.

It was moved by Kluis, seconded by Thiner and passed to approve putting the Murray County Medical Center Board on the committee list.

12:03 p.m. The meeting was recessed.

1:01 p.m. Chairman Jens called the meeting back to order for the Judicial Ditch 8 Improvement

Chairman James Jens welcomed everyone and asked for introductions

Heidi E. Winter, Murray County Auditor-Treasurer, reviewed the notices given

Kevin Stroup, Petitioners' Attorney gave his comments

Bill Helget reviewed the Engineer's Preliminary Report

DNR Advisory Report – The advisory reported received on December 22, 2015 was presented.

1:08 p.m. Chairman Jens opened the meeting for public comments and questions

1:20 p.m. Chairman Jens closed the public hearing

Commissioner Moline introduced the following order and findings and moved its adoption:

STATE OF MINNESOTA  
COUNTY OF MURRAY

In Re:

Murray County Judicial Ditch No. 8,  
Murray County, Minnesota.

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ORDER ON PRELIMINARY HEARING, ORDER FOR DETAILED  
SURVEY REPORT, AND ORDER APPOINTING VIEWERS

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WHEREAS, a Petition for the Improvement of Murray County Judicial Ditch No. 8 has been filed with the Murray County Board of Commissioners, acting as the drainage authority for Murray County Judicial Ditch No. 8; and

WHEREAS, the Board, sitting as a drainage authority, on December 29, 2015, conducted a preliminary hearing on the Petition pursuant to Minn. Stat. § 103E.261; and

WHEREAS, said Board has received and reviewed the November, 2015, Preliminary Engineering Report filed in connection with said proceeding; and

WHEREAS, said Board has received and considered comments on the Petition and the Preliminary Engineering Report from the regional manager acting on behalf of the Commissioner of the Minnesota Department of Natural Resources; and

WHEREAS, said Board has received and considered public comment on the proposed project and the Preliminary Engineering Report.

NOW, THEREFORE, the Board makes the following findings and orders:

1. Said Board hereby determines that:
  - a. The Petition is adequate and meets the legal requirements applicable to this improvement proceeding; and

- b. Adequate notice of the preliminary hearing has been provided; and
- c. The proposed drainage project as outlined in the Petition and as described and recommended in the Preliminary Engineering Report is feasible; and
- d. There is necessity for the proposed drainage project; and
- e. The proposed drainage project will be of public benefit and promote the public health, after considering the environmental and land use criteria in Minn. Stat. § 103E.015, subd. 1; and
- f. The outlet for the proposed project is adequate.

2. The engineer, Bolton & Menk, is hereby ordered and directed to make a detailed survey with plans and specifications for the proposed drainage project and submit a detailed survey report to the Board as soon as possible.

3. The Board finds that the following three persons are disinterested residents of the State qualified to assess benefits and damages and hereby appoints the following persons as viewers for the improvement project: Jim Weideman, Steve Johnson and Duane Bendixen.

Dated this 29<sup>th</sup> day of December, 2015.

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Chairman of the Board

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

Commissioner Thiner introduced the following findings of fact and order:

BEFORE THE MURRAY COUNTY BOARD OF  
COMMISSIONERS ACTING AS DRAINAGE AUTHORITY  
FOR JUDICIAL DITCH #8

Findings of Fact and Order Concerning  
Redetermination of Benefits, Pursuant to  
Minnesota Statutes 103E.351

WHEREAS, the original benefits for Judicial Ditch #8, as determined in the original drainage proceedings, do not reflect reasonable present day values and the benefitted or damaged areas may have been changed.

NOW, THEREFORE, the Murray County Board of Commissioners, acting as Drainage Authority for Judicial Ditch #8, hereby orders the Redetermination of Benefits for Judicial Ditch #8 and appoints Jim Weidemann, Duane Bendixen and Steve Johnson as viewers.

Dated this 29<sup>th</sup> day of December, 2015.

MURRAY COUNTY BOARD OF  
COMMISSIONERS ACTING AS DRAINAGE  
AUTHORITY FOR JUDICIAL  
DITCH #8

By \_\_\_\_\_  
Its Chairperson

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

1:31 p.m. The Judicial Ditch 8 Improvement hearing was completed and the meeting was recessed.

County Ditch 73 Improvement – Final Acceptance Hearing

2:00 p.m. Chairman Jens called the Final Acceptance Hearing for County Ditch 73 to order

Chairman James Jens welcomed everyone and asked for introductions

Heidi Winter, Auditor-Treasurer reviewed the notices given pursuant to M.S. § 103E.555

Duane Hansel gave the Engineer’s Report on Construction

2:07 p.m. Chairman Jens asked for comments from the public

2:20 p.m. Chairman Jens closed the Public Hearing

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

RESOLUTION NO. 2015-12-29-13  
A Resolution to Approve Final Order Accepting Contract with Onken Backhoe Service  
on Murray County Ditch No. 73 Improvement

FINAL ORDER IN DITCH 73 ACCEPTING CONSTRUCTION CONTRACT  
PURSUANT TO MINNESOTA STATUTE § 103E.555

WHEREAS, a final construction report for an improvement to Murray County Ditch No. 73 has been received from Bolton and Menk, Inc. and attached to this order as “ATTACHMENT A”, and WHEREAS, a final acceptance hearing was held on Tuesday December 29, 2015 at 2:00 p.m. in the Commissioners Room of the Murray County Government Center.

NOW THEREFORE BE IT RESOLVED, based on written documentation, the Murray County Board of Commissioners, acting as Drainage Authority of Murray County Ditch No. 73, makes the following Findings of Fact and Order:

#### FINDINGS OF FACT

- a. That notice of the hearing had been given properly pursuant to M.S. § 103E.555.
- b. 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.
- c. That the work performed under the contract was completed consistent with the contract.

#### ORDER

1. That the unpaid balance of the construction contract shall be paid by the County Auditor, upon receipt of Form IC-134 from the Contractor.

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.

It was moved by Thiner, seconded by Moline and to approve damages resulting from the ponding of water due to the use of non-perforated pipe, in the amount of \$2,500 to Chris Holinka and \$1,000 shall be paid to Michael Stewart with the understanding that private tile shall be installed.

2:22 p.m. The County Ditch 73 Final Acceptance hearing was completed and the meeting was recessed.

2:37 p.m. The meeting was called back to order.

The County Board met with Deputy Registrar Connie Wieneke pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated her 2015 performance as “above average” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with Transportation/Aging Coordinator Michelle Miranowski pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated her 2015 performance “between meets expectations and above average” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills,*

*outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with Parks Director/Fairgrounds Director Justin Hoffmann pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated his 2015 performance “between above average and exceptional” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with Network Administrator/VSO/Emergency Management Director James Reinert pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated his 2015 performance as “above average” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with EDA Director Amy Rucker pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated her 2015 performance “between above average and exceptional” by evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with Sunrise Terrace Director Carol Veldhuisen pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated her 2015 performance “between above average and exceptional” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with Water Resources Administrator Chris Hansen pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated his 2015 performance “between meets expectations and above average” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with Extension Office Manager Nancy Pieske pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated her 2015 performance “between above average and exceptional” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with County Engineer Randy Groves pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated his 2015 performance “between above average and exceptional” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

The County Board met with County Coordinator Aurora Heard pursuant to Minnesota Statute 13D.05, subd. 3. in closed session on December 28, 2015 and rated her 2015 performance “between above average and exceptional” when evaluating the following items:

*Quality of work, quantity of work, job knowledge, decision making/judgement, dependability, efficiency, flexibility/adaptability/change management/risk taking, interpersonal/communication skills, outcomes measurement and problem-solving, professional conduct/integrity, safety/security, self-improvement, leadership, staff development/motivation, resource/project management.*

2:51 p.m. The meeting was adjourned.

ATTEST: \_\_\_\_\_  
Aurora Heard, County Coordinator

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