

DRAFT PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
March 15, 2016 8:30 a.m.

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

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

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

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

No conflicts of interest were identified.

It was moved by Magnus, seconded by Jens and passed to approve consent agenda item 1.

Consent Agenda

1. Approval of the Minutes from March 1, 2016

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 15, 2016 with fund totals as follows and warrants numbered 149000 – 149088:

County Revenue Fund	65,176.30
County Road & Bridge Fund	20,916.57
Ditch	345.00
Sunrise Terrace	969.96
SAWSD	148.00
Total	87,555.83

It was moved by Magnus, seconded by Kluis and passed to authorize an expenditure of \$1,731.62 to Randy's Floor Covering to replace the carpet and vinyl in Sunrise Terrace Apartment #110 (account code: 55-890-6304).

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>
<u>Rinke Noonan</u>				
	Admin	200.00		Monthly Retainer Fee
	JD 3	1,804.00	#2012-018	Improvement
	Subtotal	2,004.00		
<u>Nobles County Auditor-Treasurer</u>				
	JD 7	138.01		Cross County Ditch Expense
	JD 11	390.02		Cross County Ditch Expense
	JD 12	1,504.09		Cross County Ditch Expense
	JD 17	123.88		Cross County Ditch Expense
	JD 20	411.83		Cross County Ditch Expense
	JD 26	65.02		Cross County Ditch Expense
	CD 30	177.06		Cross County Ditch Expense
	Subtotal	2,809.91		
	Total for All Ditch Bills	4,813.91		

A motion was made by Moline, 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.

2015-087 (CD 23, 23-Ellsborough 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.

2016-001 (CD 81, 31-Lake Sarah Township, District 2) If the tile is the same size the ditch will pay for it, any increase in size will be paid by the landowner.

Equipment Purchase Request

It was moved by Jens, seconded by Magnus and passed to approve purchasing a spray tank and spray equipment from Avoca Spray Service in the amount of \$13,311.51 and a Steel for Skid Frame from Hadley Steel Inc. in the amount of \$1,100, totaling \$14,411.51 from account code: 10-320-6650.

It was moved by Jens, seconded by Thiner and passed to approve adding CSAH 8 to the 2016 overlay projects.

It was moved by Jens, seconded by Magnus and passed to approve setting a bid opening for the 2016 overlay projects for 9:30 a.m. on April 19, 2016.

It was moved by Jens, seconded by Moline and passed to approve purchasing a laptop computer, wireless keyboard, mouse, and docking station from the Computer Man, Inc. in the amount of \$1,463.45 from account code: 01-601-6480.

Consensus for the spending limit to increase to \$2,000 and to have the purchasing policy brought back to the next meeting.

10:00 a.m. Open Forum- No members of the public were present.

Commissioner Moline introduced the following resolution and moved its adoption:

2016-03-15-01
RESOLUTION OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
Exploring Merger with Western Community Action

WHEREAS, Community Transit of Western Community Action and Murray County Transit provide public transportation services under separate contracts with the Minnesota Department of Transportation, and

WHEREAS, the Transportation Director of Community Transit, a MnDot representative, and the Murray County Board of Commissioners met on March 1, 2016 to discuss transportation services, and

WHEREAS, all parties would like to set up future meetings to further explore having Community Transit administer public transportation grant funding and operations in Murray County beginning January 1, 2017 with Murray County Board approval.

BE IT RESOLVED; that Murray County authorizes Community Transit to continue discussions with Murray County and MNDOT to pursue a potential merger.

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

It was moved by Magnus, seconded by Jens and passed to approve a car seat recycling program, beginning with a free event, and charging \$3.00 per car seat after the free event and to add this charge to the county fee schedule.

It was moved by Moline, seconded by Kluis and passed to approve and authorize the Board Chair sign an agreement with Short Elliot Hendrickson, Inc. for 2016 monitoring services for the Murray County Demolition Landfill.

It was moved by Magnus, seconded by Jens and passed to approve having David A. Swenson Construction finish the chain link fence around the racetrack grandstands in the amount of \$7,400 from account code: 01-110-115-6610.

Commissioner Kluis introduced the following resolution and moved its adoption:

2016-03-15-02
National Service Recognition Day

We are proud to join in a nationwide salute that will highlight the importance of citizen engagement and recognize the dedication of National Service AmeriCorps State members and Senior Corps RSVP volunteers, and inspire more residents to get involved in their communities.

The nation's counties are increasingly turning to National Service and volunteer programs as a cost-effective strategy to meet county needs.

National Service programs expand economic opportunity by creating more sustainable communities and providing education, career skills, and leadership abilities for those who serve.

National Service provides a unique public-private partnership that invests in community solutions to strengthen community impact and increase the return on taxpayer dollars.

National Service AmeriCorps members and Senior Corps RSVP volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service.

More than 13,000 Minnesota Senior Corps Volunteers provided 2.2 million hours of service in 2015. Murray County was served by 4 AmeriCorps State members and 282 Senior Corps RSVP volunteers in 2015. The Senior Corps RSVP volunteers perform their volunteer service work under the guidance of A.C.E. of SW Minnesota – Murray County office. These volunteers provide vital support to county residents and improve the quality of life in Cottonwood County.

As a County Commission, we work hard every day to make life better for our constituents, and strengthening the spirit and commitment of the volunteers who serve our county is just one of our many goals. We are grateful for the dedication and sacrifice of these citizens who are helping make our great county stronger, safer, and healthier.

Today we thank National Service AmeriCorps members and Senior Corps RSVP volunteers for their commitment. Let us pledge to do our part to strengthen our county through services and volunteering.

Therefore, be it resolved, that, the Murray County Board of Commissioners, do hereby proclaim April 5, 2016, as National Service Recognition Day, and encourage residents to recognize the positive impact of National Service programs in our county, to thank those who serve; and to find ways to give back to our communities.

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

Museum Management Agreement

It was moved by Jens, seconded by Magnus and passed to approve and authorize the Board Chair sign the museum management agreement.

Network Administrator/VSO position description.

It was moved by Moline, seconded by Magnus and passed to approve the updated Network Administrator/VSO position description.

It was moved by Kluis, seconded by Jens and passed to approve the Network Administrator/VSO position classification at a labor grade 18.

It was moved by Moline, seconded by Magnus and passed to approve the reclassification of James Reinert Network Administrator/VSO to a labor grade 18 step 10, effective March 13, 2016.

Commissioner Magnus introduced the following resolution and moved its adoption:

Murray County Board of Commissioners

RESOLUTION NO. 2016-03-15-03

Supporting dissolution of Area II Minnesota River Basin Projects, Inc. (“Area II, Inc.”), approving assignments of rights, and approving amendment of the Joint and Cooperative Agreement

WHEREAS, Murray County is a governmental unit and signatory to the Joint and Cooperative Agreement for the Continuing Operation of Area II Minnesota River Basin Projects, Inc. (“Area II, Inc.”), as last signed in December 2015; and

WHEREAS, the Joint and Cooperative Agreement was entered into under Minn. Stat. § 471.59, which authorizes two or more governmental units to jointly or cooperatively exercise any power common to the contracting parties or any similar powers and to create a Joint Powers Entity under Minnesota law; and

WHEREAS, the intent of the Joint and Cooperative Agreement is to maintain an organization which will carry on a program of floodwater retention and retardation measures, both structural and nonstructural, in the drainage area outletting into the south side of the Minnesota River between the cities of Ortonville and Mankato, Minnesota; and

WHEREAS, the organization referenced by the Joint and Cooperative Agreement is Area II, Inc., a Minnesota Nonprofit Corporation in good standing; and

WHEREAS, when the Area II Executive Director sought to procure insurance coverage for Area II, Inc. from the Minnesota Counties Intergovernmental Trust (“MCIT”), she obtained a premium quotation that was significantly less than the premiums Area II, Inc. is currently paying for insurance coverage; and

WHEREAS, MCIT communicated to the Area II Executive Director that it cannot provide Area II, Inc. with insurance coverage if Area II continues to operate and exist as both a Minnesota Nonprofit Corporation and a Joint Powers Entity; and

WHEREAS, MCIT has communicated that it would insure Area II as a Joint Powers Entity if the Nonprofit Corporation is dissolved; and

WHEREAS, on February 4, 2016, the Board of Directors of Area II, Inc. approved voluntary dissolution of Area II, Inc. as a Minnesota Nonprofit Corporation; and

WHEREAS, Area II would continue to exist as a Joint Powers Entity and carry on the intent of the Joint and Cooperative Agreement upon the voluntarily dissolution of Area II, Inc.; and

WHEREAS, the voluntary dissolution of Area II, Inc. benefits the public because it will save the member counties money in the form of less-costly insurance coverage from MCIT; and

WHEREAS, the Area II, Inc. Articles of Incorporation and Bylaws, and the Joint and Cooperative Agreement, all require that upon dissolution all property of Area II, Inc. “shall be sold and the proceeds thereof together with the monies on hand shall be distributed to the respective governing bodies of the [member counties] in proportion to the proceeding annual ad valorem tax levy ...”

WHEREAS, pursuant to that requirement, Area II, Inc. intends to execute a Bill of Sale for sale of the property to Area II as a Joint Powers Entity for a nominal sum (\$1.00) on condition that each member county passes a resolution assigning its rights to the sale proceeds to Area II as a Joint Powers Entity, and assigning its rights to the monies on hand to Area II as a Joint Powers Entity; and

WHEREAS, upon dissolution of Area II, Inc., it is necessary to amend the Joint and Cooperative Agreement, in the manner consistent with Exhibit 1 to this Resolution, with the amendment to take effect on the date that Articles of Dissolution of Area II Minnesota River Basin Projects, Inc. are filed with the Minnesota Secretary of State.

RESOLUTION

BE IT NOW RESOLVED, that the Murray County Board of Commissioners hereby supports the dissolution of Area II Minnesota River Basin Projects, Inc. as a Minnesota Nonprofit Corporation and the continued maintenance and operation of Area II Minnesota River Basin Projects as a Joint Powers Entity; and

BE IT NOW FURTHER RESOLVED, that the Murray County Board of Commissioners hereby assigns any and all rights that the county has from the sale of Area II, Inc. property to Area II Minnesota River Basin Projects as a Joint Powers Entity; and

BE IT FURTHER RESOLVED, that the Murray County Board of Commissioners hereby assigns any and all rights that the county has to Area II, Inc.’s monies on hand at the time of dissolution to Area II as a Joint Powers Entity; and

BE IT FURTHER RESOLVED, that the Murray County Board of Commissioners hereby approves the Joint and Cooperative Agreement as amended, and as attached to Exhibit 1 to this Resolution, to take effect on the date that the Articles of Dissolution of Area II Minnesota River Basin Projects, Inc. are filed with the Minnesota Secretary of State.

ADOPTED this 15th day of March, 2016

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

SAWS Public Hearing

It was moved by Moline, seconded by Jens and passed to approve setting a public hearing for the SAWS proposed assessment at 10:15 a.m. on April 19, 2016.

Comprehensive Land Use Committee Per Diem

It was moved by Jens, seconded by Magnus and passed to approve a per diem of \$50.00 plus mileage for the Comprehensive Land Use Committee.

The Commissioners gave their committee reports for the period of February 28, 2016 to March 12, 2016.

James Jens reported on Commissioner Board Meeting – March 1, Tour Redwood Falls Recycle Center – March 7, Training with Scott Anderson/Historical Meeting/Township Meetings – March 8, EDA Meeting (No Per Diem Claimed) – March 9.

Gerald Magnus reported on Commissioner Board Meeting – March 1, Rural Minnesota Energy Board and PACE Meeting – March 4, Tour Redwood Falls Recycle Center – March 7, Training with Scott Anderson and Township Meetings – March 8, Fairgrounds Advisory Committee and EDA Meeting (No Per Diem Claimed for EDA meeting)– March 9, AMC – March 9 – 11.

Robert Moline reported on Commissioner Board Meeting – March 1, Area II/RCRCA – March 3, Tour Redwood Falls Recycle Center – March 7, Training with Scott Anderson and Township Meetings – March 8, AMC – March 9 – 11.

David Thiner reported on Commissioner Board Meeting – March 1, Tour Redwood Falls Recycle Center – March 7, Training with Scott Anderson/Environmental Meeting and Township Meeting – March 8, AMC – March 9 – 11.

Glenn Kluis reported on Commissioner Board Meeting – March 1, Tour Redwood Falls Recycle Center – March 7, Soil and Water Meeting – March 10.

It was moved by Moline, seconded by Jens and passed to approve the Commissioner Vouchers for the period of February 28, 2016 to March 12, 2016.

11:05 a.m. The meeting was adjourned.

ATTEST:

Aurora Heard, County Coordinator

David Thiner, Chairman of the Board