

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
May 17, 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 Magnus and passed to approve the agenda as modified.

No conflicts of interest were identified.

It was moved by Kluis, seconded by Jens and passed to approve consent agenda items 1 and 2.

Consent Agenda

1. Approval of the Minutes from May 3, 2016
2. Approval of the Minutes from May 10, 2016

A motion was duly made by Jens, seconded by Magnus and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated May 17, 2016 with fund totals as follows and warrants numbered 149553 – 149640:

County Revenue Fund	40,345.27
County Road & Bridge Fund	41,895.97
Ditch	6.00
Self-Insurance	2,016.00
Sunrise Terrace	887.49
SAWSD	148.00
 Total	 85,368.73

A motion was made by Moline, 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.

<u>Contractor</u>	<u>Ditch #</u>	<u>Amount</u>	<u>Petition #</u>	<u>Inspector</u>
<b>Gass Trenching</b>				
	Judicial Ditch 10	342.25	**2015-014	Magnus (**2015 petition)
	<b>Subtotal</b>	<b>342.25</b>		
<b>Ryan West Excavating, Inc.</b>				
	County Ditch 82	535.00	2016-014	Konkol (ok'd 5-11-16; partial complete)
	<b>Subtotal</b>	<b>535.00</b>		
<b>Johnson Ditching</b>				
	Judicial Ditch 19	685.90	2016-008	Konkol (ok'd 5-3-16)
	<b>Subtotal</b>	<b>685.90</b>		
<b>Bolton &amp; Menk, Inc.</b>				
	County Ditch 61	283.00	Improvement	
	<b>Subtotal</b>	<b>283.00</b>		
<b>Rinke Noonan</b>				
	Admin	200.00		Monthly Retainer Fee
	<b>Subtotal</b>	<b>200.00</b>		
	<b>Total for All Ditch Bills</b>	<b>2,046.15</b>		

The Board reviewed the following information regarding County Ditch 67.

Located in Mason Township (Sections 27, 28, 33 & 34) and Slayton Township (Sections 3 & 4)

Petitioned as new drainage system on May 29, 1919

Constructed in 1920 (for \$32,975)

Entirely underground tile.

Original Benefitted Acres: 471.00

Original Benefit Amount: \$71,170.44

Benefits on 25 parcels; 29 - 40 acre tracts or road crossings

A partial abandonment was ordered on March 24, 2009 (tile abandoned in NW ¼ of Section 3, Slayton Township)

Commissioner Magnus introduced the following order and moved its adoption:

BEFORE THE MURRAY COUNTY BOARD OF  
COMMISSIONERS ACTING AS DRAINAGE AUTHORITY  
FOR COUNTY DITCH #67

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

WHEREAS, the original benefits for County Ditch #67, 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 Murray County Ditch #67, hereby orders the Redetermination of Benefits for County Ditch #67 and appoints John Schueller, Kevin Vickerman, Luke Olson as viewers.

Dated this 17<sup>th</sup> day of May, 2016.

MURRAY COUNTY BOARD OF  
COMMISSIONERS ACTING AS DRAINAGE  
AUTHORITY FOR MURRAY COUNTY  
DITCH #67

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

The foregoing order was duly seconded by Commissioner Jens and thereupon being put to a vote all members voted for its adoption.

Auditor/Treasurer Winter gave an update on the government center roof.

Ditch Inspection report #2016-028 is VOID as it is not part of County's Drainage System.

It was moved by Moline, seconded by Jens and passed to approve Ditch Inspection report #2016-029 JD 14 Br. P, 21 Leeds Township, District 2, to reroute the pipe, obtain permission from the landowner, and talk to the DNR.

A motion was made by Jens, 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

- #2016-022 (CD67-Br. P11, 3-Slayton & Mason Twp. District Magnus/Jens)
- #2016-023 (CD59-Main Tile, 15-Murray Twp., Jens)
- #2016-024 (CD 53-Lat. 17; 27&34-Skandia Twp., Moline)
- #2016-025 (JD 26 Lat. 18, 34-Belfast Township, District 1-Jens)
- #2016-026 (JD 23, 11-Dovray Township, District 1-Jens)
- #2016-027 (CD55 Br. B1, 11-Des Moines River Township, District 1- Jens)

- #2016-030 (JD 11, 32-Belfast Township, District 1-Jens)

Dennis Goebel and Arl Weinerbe met with the County Board and reviewed a Geronimo solar energy proposal. Dennis Goebel gave an update on the hospital.

At 9:45 a.m. The Board Chair called the public hearing for the Clean Indoor Air Ordinance to order.

Slayton City Administrator Josh Malchow spoke in favor of the clean indoor air ordinance. County Coordinator Heard read a letter from Murray County Medical Center CEO Dennis Goebel and Chief of Staff Dr. Joyce Tarbet supporting the Clean Indoor Air ordinance. Commissioner Kluis commented he had received an email from the MCC School Nurse in favor of the ordinance. Chairman Thiner asked for additional comments from the public. There were no additional comments.

9:51 a.m. Chairman Thiner closed the public hearing.

It was moved by Kluis, seconded by Moline and passed to approve the Clean Indoor Air Ordinance. Ordinance number 2016-05-17-01.

The purpose of this Ordinance is to protect the health, safety and welfare of the people of Murray County from the adverse effects of secondhand smoke by better ensuring their ability to breathe air that is uncontaminated by secondhand smoke and vapor produced by electronic delivery devices (more commonly known as e-cigarettes); to affirm that the right to breathe has priority over allowing people to smoke or vape; and to protect vulnerable populations, including employees, children, the elderly, and those with chronic health conditions from the adverse effects of secondhand smoke or e-cigarette vapor, pursuant to the powers granted under Minnesota Statutes, Chapters 145A and 375. A printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the county auditor and on the county website: <http://murray-countymn.com/>

The County Board discussed aquatic invasive species. The Board requested an update from Water Resources Administrator Chris Hansen.

It was moved by Thiner, seconded by Jens and passed to approve any Commissioner attend the Zuercher training on May 17, 2016 at 1:30 p.m.

It was moved by Moline, seconded by Jens and passed to approve hiring the following seasonal positions: Anita Talsma Gaul as a Temporary Museum Curator, 8 hours per week, at labor grade 6 step 10 with a start date of May 18, 2016; Noah Burris as the EDA Intern at \$10.01 per hour with a start date of May 31, 2016; and approve changing David Cantin and Adam Christensen's (Weed Sprayers) start date to May 18, 2016.

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

It was moved by Jens, seconded by Kluis and passed to approve applying for the Farm Bill assistance partnership grant.

At 10:15 a.m. the Board Chair called for bid openings for township bridge projects SAP 51-599-097 and SAP 51-599-102

Company	Bid Amount
Landwehr Construction, Inc.	\$349,883.80
Midwest Contracting LLC.	\$318,516.00
R & G Construction Co.	\$345,383.50

Commissioner Moline introduced the following proclamation and moved its adoption:

American Cancer Society Relay For Life Paint the County Purple Proclamation

Proclamation  
Paint the County Purple  
Relay For Life of Murray County

WHEREAS, For all those touched by cancer, purple is more than a color. It represents hope and embodies the power and promise of the American Cancer Society Relay For Life movement. This year, we want to take the purple movement to more people and spread our message further. We want to paint the world especially Murray County purple so that cancer never steals another life;

WHEREAS, painting the county purple will spread hope to every cancer survivor in Murray County;

WHEREAS, Relay For Life events helped fund more than \$177.5 million in cancer research last year;

NOW, THEREFORE, BE IT RESOLVED, that the Murray County Board of Commissioners, do hereby proclaim May 17<sup>th</sup> thru August 13<sup>th</sup> 2016 as,

“PAINT THE COUNTY PURPLE DAYS”

in Murray County and encourage citizens to help finish the fight against cancer by proudly displaying Purple and by participating in the Relay For Life event at the Murray County Fairgrounds on Saturday August 13, 2016.

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

It was moved Jens, seconded by Magnus and passed to approve appointing the Soil and Water Administrator to the Water Resources Board.

It was moved by Magnus, seconded by Moline and passed to approve the following seasonal positions:

Bryanne Bose as a Museum Assistant with a start date of June 6, 2016 at \$9.50 per hour;  
Wyatt Heezen as a Surveying Technician with a start date of June 1, 2016 at \$10.56 per hour;  
Samuel Erickson as a Parks Maintenance Worker with a start date of May 18, 2016 at \$9.50;

It was moved by Jens, seconded by Kluis and passed to approve applying for and authorizing the Sheriff, Board Chair and County Coordinator sign the 2016 Boat and Water grant.

It was moved by Moline, seconded by Thiner and passed to approve and authorize the Board Chair sign a permission letter to Pyrotechnic Display, Inc. for the fireworks display for the Fulda Wood Duck Festival on June 17, 2016.

The Commissioners gave their committee reports for the period of April 24, 2016 to May 7, 2016.

James Jens reported on Commissioner Board Meeting – April 26, Hospital Board Meeting – April 27, Commissioner Board Meeting – May 3, Southwest Health & Human Services Meeting – May 4.

Gerald Magnus reported on Hospital Finance Committee – April 25, Commissioner Board Meeting – April 26, Hospital Board Meeting – April 27, SRDC (No Per Diem Claimed) – April 28, Commissioner Board Meeting – May 3, EDA Meeting (No Per Diem Claimed) – May 4.

Robert Moline reported on Commissioner Board Meeting – April 26, Southern Prairie Health Purchasing Alliance and County Ditch #26 – April 29, Supporting Hands Nurse Family Partnership – May 2, Commissioner Board Meeting – May 3, RCRC and Area II – May 5.

David Thiner reported on SMOC – April 25, Commissioner Board Meeting – April 26, Commissioner Board Meeting – May 3.

Glenn Kluis reported on Commissioner Board Meeting, Early Childhood Initiative, and DAC meeting – April 26, ACE meeting April 28, Commissioner Board Meeting – May 3, Southwest Health and Human Services Meeting – May 4.

It was moved by Magnus, seconded by Thiner and passed to approve the Commissioner Vouchers for the period of April 24, 2016 to May 7, 2016.

It was moved by Magus, seconded by Kluis and passed to approve and authorize the Board Chair sign an agreement with Geronimo Energy to for the county to participate in a community solar garden project.

It was moved by Moline, seconded by Jens and passed to approve recommending the Hospital Board participate in the Geronimo Energy community solar garden project.

County Engineer Groves confirmed the bids for township bridge projects SAP 51-599-097 and SAP 51-599-102 tabulated correctly.

It was moved by Jens, seconded by Moline and passed to award the low bid in the amount of \$318,516.00 for township bridge projects SAP 51-599-097 and SAP 51-599-102 to Midwest Contracting LLC.

11:27 a.m. The meeting was adjourned.

Aurora Heard, County Coordinator

David Thiner, Chairman of the Board