

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
April 4, 2017, 8:30 a.m.

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

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 Thiner, seconded by Gunnink and passed to approve the agenda as modified.

No conflicts of interest were identified.

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

1. Approve Minutes from March 28, 2017

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 April 4, 2017 with fund totals as follows and warrants numbered 152474 – 152525:

| | |
|---------------------------|------------|
| County Revenue Fund | 121,441.29 |
| County Road & Bridge Fund | 60,303.49 |
| EDA | 140.53 |
| Ditch | 120.00 |
| Sunrise Terrace | 455.89 |
| | |
| Total | 182,461.20 |

A motion was made by Jens, seconded by Gunnink 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> | <u>Commissioner District</u> |
|---|----------------------------------|-----------------|-------------------|-----------------------------|------------------------------|
| <u>Loo Con, Inc</u> | CD 43M | 224.28 | 2016-041 | Konkol ok'd 3-28-2017 | District 1 - Jens |
| | Subtotal | 224.28 | | | |
| <u>Redwood County Auditor-Treasurer</u> | JD 28 | 4,598.31 | | Joint Ditch Expenses | |
| | Subtotal | 4,598.31 | | | |
| <u>Luke Olson (Viewer)</u> | JD 10 | 508.96 | | Redetermination of Benefits | |
| | JD 14 | 1,754.27 | | Redetermination of Benefits | |
| | Subtotal | 2,263.23 | | | |
| | Total for All Ditch Bills | 7,085.82 | | | |

A motion was made by Thiner, seconded by Jens 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.

- *Petition #2017-003 (CD 34: Ellsborough Twp. Sec. 22, District 2 - Gunnink)*
- *Petition #2017-004 (CD 43A: Belfast Twp. Sec. 17, District 1 - Jens)*
- *Petition #2017-005 (CD 61 Lat. 17: Bondin Twp. Sec. 12, District 5 – Thinner)*
- *Petition #2017-007 (CD 50, Cameron Twp. Section 13, District 2-Gunnink)*

Commissioner Kluis introduced the following proclamation and moved its adoption:

County Day Proclamation
Murray County

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.

Nearly 13,000 Minnesota Senior Corps Volunteers provided more than 1.8 million hours of service in 2016. Murray County was served by 3 AmeriCorps State members and 321 Senior Corps RSVP volunteers in 2016. 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 Murray 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 4, 2017, 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 proclamation was duly seconded by Commissioner Magnus with all members voting in favor.

It was moved by Thiner, seconded by Gunnink and passed to approve the purchase of an Emergency management/Sheriff's Office patrol vehicle in the amount of \$32,809.18 from the state bid price at Nelson Auto Center from account code 201-6660.

Les Heen, gave an update on Pioneer Public Television.

It was moved by Thiner, seconded by Magnus and passed to approve accepting the resignation of Jason Wentzel, part time recycling center employee, effective April 7, 2017 and to approve beginning the recruitment process for a part time recycling center employee.

It was moved by Gunnink, seconded by Jens and passed to approve accepting the resignation of Josh Jordan, End O Line Site Coordinator, effective May 3, 2017.

It was moved by Magnus, seconded by Gunnink and passed to approve extending the date for a Class A Commercial Driver's license (CDL) requirement for Highway Mechanic Steve Muecke's, from May 1, 2017 to June 30, 2017.

It was moved by Thiner, seconded by Jens and passed to approve and authorize the Board Chair sign a permission letter for a public fireworks display for the Fulda Area Community Club in Fulda, on June 16th, 2017, with Pyrotechnic Display, Inc. with appropriate insurance.

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

Dennis Goebel, MCMC CEO, gave a monthly hospital update.

At 10:30 a.m. The Board Chair called for the bid opening for Project SP 051-070-004, for the 2017 HSIP WR striping project.

| Company | Bid Amount |
|-------------------------------|--------------|
| AAA Striping | \$191,817.06 |
| Century Fence Company | \$195,838.32 |
| Swanston Equipment Co. | \$259,306.74 |
| Traffic Marking Service, Inc. | \$196,943.92 |

Assistant County Engineer Rossow will review the bids for accuracy and report back.

It was moved by Magnus, seconded by Gunnink and passed to approve and authorize the Board Chair, County Auditor, and County Attorney sign contract number 20171 for state projects SAP'S 051-604-029, 051-605-009, and 051-629-033, for bituminous seal coat.

It was moved by Jens, seconded by Kluis and passed to approve and authorize the Board Chair, County Auditor, and County Attorney sign a contract for countywide striping, CP 01-17-2017.

It was moved by Jens, seconded by Gunnink and passed to approve and authorize the End O Line park utilize the highway department unit 40, Chevy pick-up, through September 2017, to authorize the County Engineer sell it at auction after.

Assistant County Engineer Rossow reported the bid amounts are correct.

It was moved by Thiner, seconded by Gunnink and passed to approve the low bid for the HSIP striping project, SP 51-604-029 in the amount of \$191,817.06 and award the project to AAA Striping Service.

It was moved by Thiner, seconded by Gunnink and passed to approve Parks/Fairgrounds Director Hoffman go out for bids for the Blue Commercial/Creative Arts Building roof replacement and to set the bid opening for the Blue Commercial/Creative Arts Building for 9:30 a.m. on April 25, 2017, and to include a performance bond and the recommended insurance by MCIT.

At 11:00 a.m. Chairman Kluis called the hearing for the redetermination of benefits for CD 40 and CD 43 A, B, and M to order.

County Attorney Smith reviewed the purpose of the public hearing.

Auditor/Treasurer Winter reviewed the notice requirements.

Jim Weideman gave the Viewer's Reports as to Redetermination of Benefits

Chairman Kluis asked for Public Comment and Questions on County Ditch 40.

Commissioner Thiner introduced the following findings of fact and order and moved its adoption:

**BEFORE THE MURRAY COUNTY BOARD OF
COMMISSIONERS ACTING AS DRAINAGE AUTHORITY
FOR COUNTY DITCH #40**

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

WHEREAS, the original benefits for County Ditch #40, as determined in the original drainage proceedings, do not reflect reasonable present day values and the benefitted or damaged areas may have been changed.

WHEREAS, on September 6, 2016 the Drainage Authority appointed viewers to redetermine benefits for County Ditch 40.

NOW, THEREFORE, the Murray County Board of Commissioners, acting as Drainage Authority for Murray County Ditch #40, hereby approves the redetermination of benefits for County Ditch 40 based on the following:

- The Viewer's Report has been made and other proceedings are completed under M.S. § 103E.351.
- The report are complete and correct.
- The damages and benefits and benefitted and damaged areas have been properly determined.

Dated this 4th day of April, 2017.

MURRAY COUNTY BOARD OF
COMMISSIONERS ACTING AS DRAINAGE
AUTHORITY FOR MURRAY COUNTY
DITCH #40

By _____
Its Chairperson

The foregoing findings of fact and order was duly seconded by Commissioner Jens with all members voting in favor.

Jim Weideman gave the Viewer's Reports as to Redetermination of Benefits

Chairman Kluis asked for Public Comment and Questions on County Ditch 43A. A landowner had a question on hydraulic efficiencies.

Commissioner Jens introduced the following findings of fact and order and moved its adoption:

**BEFORE THE MURRAY COUNTY BOARD OF
COMMISSIONERS ACTING AS DRAINAGE AUTHORITY
FOR COUNTY DITCH #43A**

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

WHEREAS, the original benefits for County Ditch #43A, as determined in the original drainage proceedings, do not reflect reasonable present day values and the benefitted or damaged areas may have been changed.

WHEREAS, on April 19, 2016 the Drainage Authority appointed viewers to redetermine benefits for County Ditch 43A.

NOW, THEREFORE, the Murray County Board of Commissioners, acting as Drainage Authority for Murray County Ditch #43A, hereby approves the redetermination of benefits for County Ditch 43A based on the following:

- The Viewer's Report has been made and other proceedings are completed under M.S. § 103E.351.
- The report are complete and correct.
- The damages and benefits and benefitted and damaged areas have been properly determined.

Dated this 4th day of April, 2017.

MURRAY COUNTY BOARD OF
COMMISSIONERS ACTING AS DRAINAGE

AUTHORITY FOR MURRAY COUNTY
DITCH #43A

By _____
Its Chairperson

The foregoing findings of fact and order was duly seconded by Commissioner Thiner with all members voting in favor.

Jim Weideman gave the Viewer's Reports as to Redetermination of Benefits

Chairman Kluis asked for Public Comment and Questions on County Ditch 43B. Arlan Moger spoke regarding that he did not have any benefit and has to pay. Jim Weideman explained it was put on as part of the record and would be charged 28 cents for each \$10,000 spent on the system.

It was moved by Jens, seconded by Gunnink and passed to approve removing all \$8.94 of net benefit for parcel number 01-004-0050 (Pt. SW1/4SW1/4, Section 4-Belfast Township), keeping fifty feet of tile benefit at \$0.00 on record to maintain an easement for repairs to the outlet.

Commissioner Jens introduced the following findings of fact and order and moved its adoption:

**BEFORE THE MURRAY COUNTY BOARD OF
COMMISSIONERS ACTING AS DRAINAGE AUTHORITY
FOR COUNTY DITCH #43B**

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

WHEREAS, the original benefits for County Ditch #43B, as determined in the original drainage proceedings, do not reflect reasonable present day values and the benefitted or damaged areas may have been changed.

WHEREAS, on April 19, 2016 the Drainage Authority appointed viewers to redetermine benefits for County Ditch 43B.

NOW, THEREFORE, the Murray County Board of Commissioners, acting as Drainage Authority for Murray County Ditch #43B, hereby approves the redetermination of benefits for County Ditch 43B based on the following:

- The Viewer's Report as modified by the proceeding motion, *which removes \$8.94 of net benefit and keeps fifty feet of tile benefit at \$0.00 for parcel number 01-004-0050 (Pt. SW1/4SW1/4, Section 4-Belfast Township)* has been made and other proceedings are completed under M.S. § 103E.351.
- The report are complete and correct.
- The damages and benefits and benefited and damaged areas have been properly determined.

Dated this 4th day of April, 2017.

MURRAY COUNTY BOARD OF
 COMMISSIONERS ACTING AS DRAINAGE
 AUTHORITY FOR MURRAY COUNTY
 DITCH #43B

By _____
 Its Chairperson

The foregoing findings of fact and order was duly seconded by Commissioner Magnus with all members voting in favor.

Jim Weideman gave the Viewer's Reports as to Redetermination of Benefits

Chairman Kluis asked for Public Comment and Questions on County Ditch 43M. Landowners had questions on the right of way.

Commissioner Thiner introduced the following findings of fact and order and moved its adoption:

**BEFORE THE MURRAY COUNTY BOARD OF
 COMMISSIONERS ACTING AS DRAINAGE AUTHORITY
 FOR COUNTY DITCH #43M**

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

WHEREAS, the original benefits for County Ditch #43M, as determined in the original drainage proceedings, do not reflect reasonable present day values and the benefitted or damaged areas may have been changed.

WHEREAS, on April 19, 2016 the Drainage Authority appointed viewers to redetermine benefits for County Ditch 43M.

NOW, THEREFORE, the Murray County Board of Commissioners, acting as Drainage Authority for Murray County Ditch #43M, hereby approves the redetermination of benefits for County Ditch 43M based on the following:

- The Viewer's Report has been made and other proceedings are completed under M.S. § 103E.351.
- The report are complete and correct.
- The damages and benefits and benefited and damaged areas have been properly determined.

Dated this 4th day of April, 2017.

MURRAY COUNTY BOARD OF
COMMISSIONERS ACTING AS DRAINAGE
AUTHORITY FOR MURRAY COUNTY
DITCH #43M

By _____
Its Chairperson

The foregoing findings of fact and order was duly seconded by Commissioner Gunnink with all members voting in favor.

12:12 p.m. The hearing was adjourned.

12:15 p.m. The meeting was adjourned.

ATTEST:

Aurora Heard, County Coordinator

Glenn Kluis, Chairman of the Board