

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
June 20, 2017, 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Gerald Magnus, Glenn Kluis, James Jens, Lori Gunnink 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 Gunnink, seconded by Jens and passed to approve the agenda as modified.

Commissioner Kluis identified a conflict of interest. No other conflicts of interest were identified.

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

1. Approve Minutes from June 6, 2017

It was moved by Jens, seconded by Gunnink and passed to approve consent agenda item 2.

2. Approve Minutes from June 9, 2017

A motion was duly made by Magnus, seconded by Thiner and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated June 20, 2017 with fund totals as follows and warrants numbered 153135 – 153201:

County Revenue Fund	41,214.45
County Road & Bridge Fund	35,669.60
Self Insurance	104.11
Sunrise Terrace	2,846.61
SAWSD	154.00
 Total	 79,988.77

A motion was made by Jens, seconded by Magnus 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.

Bolton & Menk

CD 29	2,615.50	2017-011	Ok'd d by Howard 6-12-17 1-Jens (Vickerman)
JD 8	2,886.50		Improvement
CD 22	2,332.50		Improvement
CD 61	245.00		Improvement
JD 20A	1,955.00		Improvement
JD 3	1,080.00		JD 3 Appeal
Subtotal	<u>11,114.50</u>		

Rinke Noonan

Admin	<u>200.00</u>	Monthly Retainer
Subtotal	<u>200.00</u>	

Total for All Ditch Bills 11,314.50

A motion was made by Thiner, 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.

- Petition #2017-030 (CD 54: Iona Twp. Sec. 11, District 3 – Magnus)

Craig Christensen and Shelly Lewis met with the County Board and reviewed the Murray County Soil and Water Conservation District's quarterly report.

It was moved by Thiner, seconded by Gunnink and passed to approve Soil and Water's 2017 second quarter appropriation in the amount of \$46,569.75.

Commissioner Thiner introduced the following resolution and moved its adoption:

RESOLUTION 2017-06-20-01
A JOINT RESOLUTION REGARDING THE ADMINISTRATION
OF THE MINNESOTA WETLAND CONSERVATION ACT
BETWEEN MURRAY COUNTY AND MURRAY SWCD

WHEREAS, the Minnesota Wetlands Conservation Act of 1991 (WCA) requires local government units (LGUs) implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetlands draining and filling; and

WHEREAS, Murray County is the responsible LGU under Minnesota Rules Chapter 8420 and accepted the responsibility for the WCA within the legal boundaries of Murray County on December 21, 1991; and

WHEREAS, Murray County and Murray Soil and Water Conservation District (SWCD) mutually agreed and signed the Model Joint Powers Agreement on December 21, 1993, and January 13, 1994, respectively, for the Administration of WCA; and

WHEREAS, Minnesota Rules Chapter 8420 allows a county to delegate implementation of WCA to another governmental entity by the passage of resolutions by both parties; and

WHEREAS, Murray County receives an annual grant appropriation for administration, implementation and enforcement of Minnesota Rules Chapter 8420 as identified in the BWSR Natural Resources Block Grant (NRBG) Agreement; and

WHEREAS, The NRBG agreement requires Murray County to transfer a minimum of \$5,000.00 to the Murray SWCD within 120 days of receipt of NRBG funds by Murray County.

THEREFORE, BE IT RESOLVED, The Model Joint Powers Agreement signed December 21, 1993, by Murray County and signed January 13, 1994, by Murray SWCD is hereby mutually terminated; and

THEREFORE, BE IT RESOLVED, by the Murray County Board of Commissioners that the authority and administrative responsibility to implement WCA as the LGU within the legal boundaries of Murray County is delegated to Murray SWCD as of June 20, 2017, in accordance with Minnesota Rules, Chapter 8420; and

THEREFORE, BE IT RESOLVED, that the Murray SWCD hereby accepts the authority and administrative responsibility to implement WCA as the LGU within the legal boundaries of Murray County as of June 20, 2017, in accordance with Minnesota Rules, Chapter 8420; and

BE IT FURTHER RESOLVED, Murray County and Murray SWCD mutually agree to the amount of 100% of the annual WCA grant allocation amount to be transferred to the Murray SWCD within 120 days of receipt of NRBG funds; and

BE IT FURTHER RESOLVED, the Murray SWCD agrees to provide the required financial match as identified in the NRBG agreement for the WCA appropriation for the grant amount; and

BE IT FURTHER RESOLVED, the Murray SWCD agrees that any grant funds remaining unspent, unencumbered or becoming obligated after the expiration date as set forth in the Agreement between the County and BWSR shall be returned to the County within one month of the end of the Agreement period; and

BE IT FURTHER RESOLVED, Murray County and Murray SWCD mutually agree to the terms of this resolution until such time either party agrees to terminate this resolution with a 60-day notice to the other party.

The foregoing resolution was duly seconded by Commissioner Gunnink with all members voting in favor.

Commissioner Thiner introduced the following resolution and moved its adoption:

RESOLUTION 2017-06-20-02
A RESOLUTION REGARDING THE ELECTION OF JURISDICTION
FOR THE MINNESOTA BUFFER LAW

Affirming Murray County's jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48

WHEREAS, during the 2015 First Special Session, the 89th Legislature adopted Chapter 4, creating the water quality buffer initiative; and

WHEREAS, Chapter 4 authorizes a county to assume jurisdiction over the compliance provisions of the water quality buffer initiative; and

WHEREAS, improved water quality is a statewide goal, but is best administered by local policymakers, whose familiarity with their home communities will ensure a cooperative and efficient implementation of the initiative; now, therefore,

BE IT RESOLVED, Murray County affirms its jurisdiction to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48; and

BE IT FURTHER RESOLVED, county staff will draft a rule, ordinance, or official controls, to be approved by the Murray Board of County Commissioners, to carry out the compliance provisions of Minnesota Statutes 103B.101, subdivision 12a and 103F.48.

The forgoing resolution was duly seconded by Commissioner Jens with all members voting in favor.

9:45 a.m. Commissioner Jens was excused from the meeting.

Commissioner Thiner introduced the following resolution and moved its adoption:

RESOLUTION 2017-06-20-03
Resolution to adopt and Implementation the Murray County
Comprehensive Local Water Management Plan

Whereas, the Murray County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Murray County Comprehensive Local Water Management Plan has been approve according to Minnesota Statutes §103.B.301:

Now, Therefore, Be it Resolved, the Murray County Board of Commissioners hereby adopts and will begin implementation of its approved Comprehensive Local Water Management Plan with the inclusion of the Murray County "Other Waters" Descriptive format listed in the Murray Soil

and Water Conservation District Resolution to Adopt Summary of Watercourses, as an addendum.

Be it Further Resolved after the adoption of the Comprehensive Local Water Management Plan, the Murray County Board of Commissioners shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable and approved comprehensive water plan.

Be it Further Resolved after the adoption of the Comprehensive Local Water Management Plan, Murray County shall notify local units of government within the County of the adoption of the plan or amendments to the plan. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the County Board of Commissioners for review.

Be it Further Resolved that within 180 days, the Murray County Board of Commissioners shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls, and Comprehensive Local Water Management Plan. The Murray County Board of Commissioners shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Comprehensive Local Water Management Plan.

Be it Further Resolved if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

Be it Further Resolved after receiving the recommendations of the Murray County Board of Commissioners, or a resolution of an appeal, a local unit of government has 190 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the Murray County Board of Commissioners for review and recommendations.

The foregoing resolution was duly seconded by Commissioner Magnus with all members voting in favor.

Zoning/Environmental Administrator Jean Christoffels gave an update on a spring conference she attended.

9:59 a.m. Commissioner Jens returned to the meeting.

Jon Schneider, Ducks Unlimited, Inc., Manager of Minnesota Conservation Programs, met with the County Board regarding the following land purchased by Duck's Unlimited.

Ducks Unlimited's purchase of 137 acres in Section 2 of Iona Township (T106N, R41W) in Murray County for future donation to the Minnesota DNR and inclusion in the Badger Lakes State Wildlife Management Area via Minnesota's Outdoor Heritage Fund, Minnesota Laws of 2016, Chapter 172, Article 1, Section 2, Subdivision 4(b).

Ducks Unlimited's purchase of 80 acres in Section 22 of Shetek Township (T108N, R40W) in Murray County for future donation to the Minnesota DNR and inclusion in the Shetek State Wildlife Management Area via Minnesota's Outdoor Heritage Fu

10:04 a.m. Open Forum/Public Comment – No members of the public were present.

Jan Voit, Heron Lake Watershed District Administrator and Jim Bushena, Heron Lake Watershed District Manager met with the County Board and gave an annual update.

It was moved by Magnus, seconded by Thiner and passed to approve and authorize the Board Chair, Auditor/Treasurer, and County Attorney sign a contract with R and G Construction for Project No. SAP'S 051-599-098, 051-599-099 and 051-599-100.

It was moved by Gunnink, seconded by Kluis to approve and authorize the Board Chair, Auditor/Treasurer, and County Attorney sign a State of Minnesota Contract CP 02-17 with William D. Scepaniak, Inc.

Parks Director Justin Hoffman and Investigator Chris Lewis met with the County Board Regarding park updates ordinances.

Jim Reinert met with the County Board regarding projector ideas.

County Board consensus for VSO Officer James Reinert to utilize VSO grant dollars to purchase a television to put VSO announcements in the lobby of the Government Center.

Evey Larson met with the County Board and gave an update on the 2017 MCRA Recording Institute Summer Conference.

Commissioner Kluis identified a conflict of interest with the Seasonal Museum Assistant position and will abstain from the vote.

It was moved by Gunnink, seconded by Magnus and passed to approve hiring Kate Johnson as a Seasonal Museum Assistant effective June 23, 2017 at \$9.69 per hour.

Voting in Favor: Thiner, Gunnink, Jens, Magnus

Abstained: Kluis

Motion carried 4 to 0

It was moved by Kluis, seconded by Jens and passed to accept the resignation of Dennis Sankey, part time recycling center employee, effective June 16, 2017.

It was moved by Jens, seconded by Magnus and passed to approve the recruitment process for a part-time (28 hours per week) recycling center employee.

Commissioner Jens introduced the following resolution and moved its adoption:

RESOLUTION NO. 2017-06-20-04

RESOLUTION RECOMMENDING THAT
MIKE CARLSON AND JAY MICKELSON BE APPOINTED
TO THE RED ROCK RURAL WATER SYSTEM
BOARD OF COMMISSIONERS.

Background Information

WHEREAS, Mike Carlson's 4-year term as a Commissioner on the Red Rock Rural Water System (RRRWS) Board of Commissioners is scheduled to expire at midnight on December 31, 2017; and

WHEREAS, Jay Mickelson's 4-year term as a Commissioner on the Red Rock Rural Water System (RRRWS) Board of Commissioners is scheduled to expire at midnight on December 31, 2017; and

WHEREAS, Mike Carlson and Jay Mickelson both wish to serve another 4-year term on the RRRWS Board of Commissioners, which will commence at 12:00 a.m. on January 1, 2018, and will expire at midnight on December 31, 2021; and

WHEREAS, On May 11, 2017, the RRRWS Board of Commissioners unanimously passed a Motion which recommends that Mike Carlson and Jay Mickelson be appointed for another 4-year term on the RRRWS Board of Commissioners; and

WHEREAS, the Murray County Board of Commissioners believes that Mike Carlson and Jay Mickelson are qualified to act as Commissioners on the RRRWS Board of Commissioners and are worthy of appointment.

RESOLUTION

BE IT NOW RESOLVED, that the Murray County Board of Commissioners hereby recommends that Mike Carlson and Jay Mickelson be appointed to the RRRWS Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et seq, to a four-year term, which shall commence at 12:00 A.M. on January 1, 2018, and shall expire at midnight on December 31, 2021.

The foregoing resolution was duly seconded by Commissioner Magnus with all members voting in favor.

It was moved by Jens, seconded by Gunnink and passed to approve with regret accepting the retirement of LaDean Lang Deputy Auditor, effective July 21, 2017.

11:50 a.m. The meeting was recessed.

1:00 p.m. The meeting was reconvened.

County Engineer Groves and Highway Maintenance Supervisor Jackels were present to discuss a storage shed in 2020 at the highway depart and a gravel pit.

Consensus for the Building Committee to get an estimate for moving the ACE office to the Food Service Building.

1:56 p.m. Commissioner Magnus was excused from the meeting.

The County Board reviewed the 2018-2022 Capital Improvement plan.

The Commissioners gave their committee reports for the period of June 4, 2017 to June 17, 2017

Glenn Kluis reported on behalf of Gerald Magnus on Watershed Plan and Comp Study – June 5, Commissioner Board Meeting-June 6, Recycling Meeting (Partial Per Diem Claimed) – June 7, AMC District (Partial Per Diem Claimed) – June 8, Ditch 11 (Partial Per Diem Claimed) – June 9, JD #3 (Partial Per Diem Claimed) – June 13.

James Jens reported on Commissioner Board meeting and Meeting with David Drown – June 6, EDA and Recycling Meeting (No Per Diem Claimed) – June 7, Dist. 8 (Partial Per Diem Claimed) – June 8, Ditch 11 (Partial Per Diem Claimed) – June 9, SAWS Meeting (Partial Per Diem Claimed) – June 12, Ditch 3 (Partial Per Diem Claimed) – June 13, MCMC Foundation Meeting and Historical Society Meeting (Partial Per Diem Claimed) – June 14, EDA (No Per Diem Claimed) Heron Lake Water Shed Meeting and Planning/Zoning Meeting (Partial Per Diem Claimed) – June 15.

Lori Gunnink reported on Commissioner Board Meeting – June 6, AMC Meeting – June 8, Emergency Ditch Meeting (Partial Per Diem Claimed) – June 9, SAWS Meeting (Partial Per Diem Claimed) – June 12, Fair Board Advisory Meeting (atrial Per Diem Claimed) – June 15,

David Thiner reported on Compensation Study (Partial Per Diem Claimed) – June 5, Commissioner Board Meeting and Job Descriptions – June 6, District 8 – June 8, Ditch 11 (Partial Per Diem Claimed) – June 9, Ditch #3 Joint Meeting (Partial Per Diem Claimed) June 13, Watershed Meeting and Planning/Zoning Meeting – June 15.

Glenn Kluis reported Commissioner Board Meeting (Partial Per Diem Claimed) – June 5, Dist. 8 Meeting (Partial Per Diem Claimed) – June 8, Interviews (Partial Per Diem Claimed) – June 14, Fairground Advisory Meeting (Partial Per Diem Claimed) – June 15.

It was moved by Gunnink, seconded by Jens and passed to approve the Commissioner Vouchers for the period of June 4, 2017 to June 17, 2017.

2:17 p.m. The meeting was adjourned.

ATTEST:

Aurora Heard, County Coordinator

Glenn Kluis, Chairman of the Board