

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
August 22, 2017, 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Glenn Kluis, James Jens, Lori Gunnink and David Thiner. Also, present Ronda Radke, Assistant Human Resources Director and Travis Smith, County Attorney. Excused Absence: Commissioner Gerald Magnus.

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 Gunnink by and passed to approve the agenda as modified.

No conflicts of interest were identified.

Consent Agenda

1. Approve Minutes from August 8th and 9th, 2017
2. Approve Minutes from August 15, 2017

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

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

A motion was made by Jens, seconded by Thiner, 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>LJG Backhoe, LLC</u>	JD 28	600.95	2017-037	Ok'd d by Howard 6-16-17	Jens - 1
	Subtotal	600.95			
<u>Duane Bendixen (Viewing Services)</u>					
	JD 6	125.03		Improvement	
	JD 20A	291.72		Improvement	
	JD 20A	333.40		Improvement	
	JD 20A - Br 24	83.35		Improvement	
	Subtotal	833.50			
<u>John Schueller (Viewing Services)</u>					
	JD 10	1,067.50		Redetermination of Benefits	
	JD 14	4,777.50		Redetermination of Benefits	
	CD 67	862.50		Redetermination of Benefits	
	CD 63	902.50		Redetermination of Benefits	
	Subtotal	7,610.00			
<u>Bolton & Menk</u>					
	CD 29	315.00	2017-011	Ok'd d by Howard 8-16-17	1-Jens (Vickerman)
				Engineering for Emergency Reroute	
	CD 11	228.50		Around State Hwy 30	2-Gunnink
	JD 8	8,217.50		Improvement	
	CD 22	1,025.00		Improvement	
	JD20A	1,945.00		Improvement	
	JD 3	3,507.50		JD 3 Appeal	
	Subtotal	15,238.50			
<u>Rinke Noonan</u>					
	Admin	200.00		Monthly Retainer	
	CD 11	1,984.00		Emergency Reroute Around State Hwy 30	2-Gunnink
	JD 3	11,590.00		JD 3 Appeal	
	Subtotal	13,774.00			
	Total for All Ditch Bills	38,056.95			

Commissioner Thiner introduced the following resolution and moved its adoption:

**Resolution 2017-08-22-01
Resolution Assuming the Authority
to Enforce the Parcel Transfer
and Division Restrictions of Minn. Stat. § 272.162**

WHEREAS, Minnesota Statute § 272.162 specifies the conditions under which a local government may restrict parcel transfers or land divisions; and

WHEREAS, the 90th Legislature adopted Chapter 1 in the 2017 First Special Session, amending Minn. Stat. § 272.162; and

WHEREAS, the amended Minn. Stat. § 272.162 authorizes a county to review a deed or other instrument conveying a parcel of land for transfer or division before its recorded, ensuring conformity with the county's land use regulations; and

WHEREAS, a county's review of a proposed land transfer or division will protect land owners from problems arising from property splits not compliant with zoning regulations or inaccurate parcel descriptions; and

WHEREAS, a county must choose to assume the authority to review deeds or other instruments conveying parcels of land for transfer or division; now, therefore,

BE IT RESOLVED, the restrictions of Minn. Stat. § 272.162 shall apply to property within Murray County's boundaries, specifically, the County Auditor shall not transfer or divide the land in the official records and shall not certify the deed or other instrument of conveyance as provided in Minn. Stat. § 272.12, if:

- a. The land conveyed is less than a whole parcel of land as charged in the tax lists;
- b. The part of land conveyed appears within the area of application of municipal or county subdivision regulations adopted and filed under Minn. Stat. § 394.35 or 462.36; and
- c. The part conveyed is part of or constitutes a subdivision as defined in Minn. Stat. § 462.352, Subdivision 12;

unless the deed or instrument contains a certification by the clerk of the municipality or designated county planning official:

- a. that the municipality's or county's subdivision regulations do not apply;
- b. that the subdivision has been approved by the governing body of the municipality or county; or
- c. that the restrictions on the division of taxes and filing and recording have been waived by resolution of the governing body of the municipality or county in the particular case because compliance would create an unnecessary hardship and failure to comply would not interfere with the purpose of the regulations.

BE IT FURTHER RESOLVED, that in such cases, the county auditor may transfer or divide the land in the official records and shall certify the deed or other instrument of conveyance as provided in Minn. Stat. § 272.12.

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

It was moved by Thiner, seconded by Jens and passed to approve setting a special meeting on Tuesday, August 29, 2017 at 1:30 p.m. in the Commissioner Room in the Government Center for

discussion on the repairs to County Ditch No. 11 in Sections 11 and 12 of Leeds Township under State Highway 30.

Discussion on the Parks Maintenance Worker Position.

9:15 a.m. Open Forum/Public Comment – No members of the public were present.

James Jens would like to give a big thank you to everyone that helped at the Murray County Fair.

Discussion that only necessary staff are authorized to go behind the commissioner dais while the Commissioner Board meeting is in session.

9:18 a.m. The meeting was adjourned.

ATTEST:

Ronda Radke, Assistant Human Resources Director

Glenn Kluis, Chairman of the Board