

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
March 4, 2014 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Gerald Magnus, Robert Moline, John Giese, David Thiner and James Jens. Also present Aurora Heard, County Coordinator, Heidi Winter, Auditor-Treasurer, Paul Malone County Attorney.

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

No conflict of interest identified.

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

Consent Agenda

1. Approval of the minutes from February 25, 2014

It was moved by Moline, seconded by Magnus and passed to approve the agenda as modified and consent agenda item 1.

Warrants

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 March 4, 2014 with fund totals as follows and warrants numbered 142108 – 142148:

County Revenue Fund	68,888.20
County Road & Bridge Fund	6,442.24
County Ditch Fund	125.00
 Total	 75,455.44

Ditch Petitions – There were no ditch petitions for the March 4, 2014 meeting.

Ditch Bills – There were no ditch bills for the March 4, 2014 meeting.

Cattle Barn Donation

It was moved by Moline, seconded by Jens and passed to accept a \$500 donation from the Murray County Corn & Soybean Growers restricted for the purpose of offsetting expenditures for the Cattle Barn Restoration on the Fairgrounds (receipt code: 01-110-115-5760).

Commissioner Moline announced the Special Hospital Board meeting is being worked on.

Preferred One Agreements

It was moved by Magnus, seconded by Moline and passed to approve and authorize the Board Chair to sign the Preferred One health services access and administration agreement, business association agreement, and amendment to the health services network access and administration agreement.

Minnesota River Board Appropriation

It was moved by Jens, seconded by Giese and passed to approve an appropriation of \$312.50 to the Minnesota River Board.

Jean Christoffels presented Conditional Use Permit #1302 for Andy Edmundson (Mr. Edmundson was also present) to construct and operate a new feedlot over 300 animal units in the Agriculture District in the SE1/4, Section 28, Cameron Township. The board received the minutes from the February 27, 2014 public hearing permit, which included the findings of the Planning Commission.

It was moved by Moline, seconded by Thiner and passed to approve a conditional use permit for Andy Edmundson to construct and operate a new feedlot over 300 animal units in the Agriculture District in the SE ¼ , Section 28, Cameron Township based on the recommendation of the Planning Commission.

Jean Christoffels presented Conditional Use Permit #1303 for Michael Berreau (Mr. Berreau was also present) to expand an existing feedlot in the agriculture district in the NW ¼ , Section 28, Cameron Township. The board received the minutes from the February 27, 2014 public hearing permit, which included the findings of the Planning Commission.

It was moved by Moline, seconded by Magnus and passed to approve a conditional use permit for Michael Berreau to expand an existing feedlot in the agriculture district in the NW ¼ , Section 28, Cameron Township based on the recommendation of the Planning Commission.

Jean Christoffels presented Conditional Use Permit #1304 for Michael Schreier and Dennis Schreier to construct and operate a new feedlot over 300 animal units in the agriculture district in the S ½ SE ¼, Section 27, Murray Township. The board received the minutes from the February 27, 2014 public hearing permit, which included the findings of the Planning Commission.

It was moved by Jens, seconded by Thiner and passed to approve a conditional use permit for Michael Schreier and Dennis Schreier to construct and operate a new feedlot over 300 animal units in the agriculture district in the S ½ SE ¼, Section 27, Murray Township based on the recommendation of the Planning Commission.

9:08 a.m. Commissioner Moline was excused.

Ron Holinka and Justin Hoffman met with the County Board regarding the horse arena lighting project. A quote was reviewed from Millerbernd Manufacturing Company in the amount of \$1,847.00. Hoffman reported the estimated project cost is \$11,547.00. Ron Holinka reported the horse council has approved the maximum grant allowable in the amount of \$7,000. Hoffman reported the 4-H horse group is going to be donating \$2,000. The county contribution for the project would be approximately \$2,547.00.

It was moved by Magnus, seconded by Jens and passed to approve the county pay the bills for the horse arena lighting project and proceeding with the project and accepting reimbursement from the grant for the project.

The Commissioners gave their committee reports for the period of February 16, 2014 to March 1, 2014.

John Giese reported on Commissioner Board Meeting – February 18, Plum Creek Library – February 19, A.C. E. Meeting and Ambulance Meeting – February 20, Medi Sota Meeting – February 21 & 22, Hospital Finance Committee – February 24, Hospital Board Meeting; Commissioner Board Meeting and AMC Legislative Conference – February 25, AMC Legislative Conference – February 26 & 27.

Gerald Magnus reported on Commissioner Board Meeting – February 18, Southwest Health and Human Services (No Per Diem Claimed) – February 19, Hospital Conference – February 21 & 22, Hospital Finance Committee and Hospital Personnel Meeting – February 24, Hospital Board Meeting and Commissioner Board – February 25, AMC Conference – February 26 & 27, RDC Meeting (No Per Diem Claimed) – February 28.

Gerald Magnus reported on behalf of Robert Moline on Commissioner Board Meeting – February 18, Southwest Health & Human Services (No Per Diem Claimed) – February 19, Hospital Meeting – February 21 & 22, Supporting Hands Nurse Family Partnership – February 24, Commissioner Board Meeting and AMC Conference – February 25, AMC Conference – February 26 & 27, Southern Prairie Health Purchasing Alliance – February 28.

Commissioner Moline returned to the meeting.

David Thiner reported on Commissioner Board Meeting – February 18, SMOC Meeting – February 19.

James Jens reported on Commissioner Board Meeting – February 18, Medi Sota Annual Trustee Conference – February 21 & 22, Hospital Finance Committee and Personnel Hospital Meeting – February 24, Commissioner Board Meeting and Hospital Board Meeting – February 25, AMC Conference – February 26 & 27, Planning & Zoning Meeting – February 27.

It was moved by Magnus, seconded by Jens and passed to approve the Commissioner Vouchers for the period of February 16, 2014 to March 1, 2014.

10:00 a.m. Open Forum/Public Comment - Trish Grieme and Mike Stelter spoke during open forum.

Public Hearing Judicial Ditch 26

A Public Hearing was called to order at 10:15 a.m. to take input on Petition of State of Minnesota, by Charles A. Zelle, Commissioner of Transportation, for the right to make minor alterations or changes in Joint County Ditch No. 26 (Laterals 18, 36, 33, 32 and 29) in Murray County.

Welcome and Introductions – Commissioner John Giese

Heidi E. Winter, Murray County Auditor-Treasurer reviewed the notice requirements

Chuck Slama presented the Petitioner's Plans – Minnesota Department of Transportation

At 10:36 a.m. the public hearing was opened for public comment
The public hearing was closed at 10:41 a.m.

Commissioner Magnus offered the following order and moved for its adoption:

ORDER OF JUDICIAL COUNTY DITCH AUTHORITY

RE: PETITION OF STATE OF MINNESOTA, BY CHARLES A. ZELLE, ITS COMMISSIONER
OF TRANSPORTATION, FOR THE RIGHT TO MAKE
MINOR ALTERATIONS OR CHANGES IN JUDICIAL COUNTY DITCH NO. 26 (LATERALS 18,
36, 33, 32 AND 29) IN MURRAY COUNTY:

The above-entitled matter came on for hearing before the Joint County Ditch Authority, at the
Murray County Government Center, in Slayton, Minnesota on the 4th day of March, 2014 at 10:15 a.m.

The Petitioner appeared by Chuck Slama.

The Petitioner presented evidence in support of its petition for permission to make minor
alterations or changes in Joint County Ditch No. 26 (Laterals 18, 36, 33, 32 and 29), all as shown in the
plan description attached to the petition.

It was made to appear that the minor alterations or changes in said Joint County Ditch No. 26
(Laterals 18, 36, 33, 32 and 29) petitioned for by the Petitioner would be advantageous or desirable in
the maintenance and construction of Trunk Highway No. 62.

It was further made to appear that said minor alterations or changes in said Joint County Ditch
No. 26 (Laterals 18, 36, 33, 32 and 29) would in no way impair the efficiency or functioning of the
drainage system.

The Board having heard the evidence adduced by the Petitioner in support of its petition for
permission to make minor alterations or changes in Joint County Ditch No. 26 (Laterals 18, 36, 33, 32
and 29), all as shown in the plan description marked Exhibits "A" and "B", and made a part thereof,
hereby makes its Order consenting to and granting permission to said petitioner to make the minor
alterations or changes in Joint County Ditch No. 26 (Laterals 18, 36, 33, 32 and 29), all as described in
the exhibits marked "A" and "B" and made a part thereof, said minor alterations or changes to be
made at the sole cost and expense of the State of Minnesota.

The Board further orders that the Petitioner, State of Minnesota, by Charles A. Zelle,
Commissioner of Transportation, pay to the County of Murray the sum of \$154.00 for publication fees
and \$63.00 for filing fees incurred by said County in this matter.

IT IS FURTHER ORDERED that damages, if any, for any additional lands necessary for said
changes or alterations shall be paid by the Petitioner herein.

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

Public Hearing County Ditches 30 & 40

A Public Hearing was called to order at 10:43 a.m. to take input on Petition of State of Minnesota, by Charles A. Zelle, Commissioner of Transportation, for the right to make minor alterations or changes in County Ditches No. 30 & 40 (Lateral 10) in Murray County.

Welcome and Introductions – Commissioner John Giese

Heidi E. Winter, Murray County Auditor-Treasurer reviewed the notice requirements

Chuck Slama presented the Petitioner's Plans – Minnesota Department of Transportation

At 10:49 a.m. the public hearing was opened for public comment

The public hearing was closed at 11:02 a.m.

Commissioner Thiner offered the following order and moved for its adoption:

PETITION OF STATE OF MINNESOTA, BY CHARLES A. ZELLE, ITS COMMISSIONER OF
TRANSPORTATION, FOR THE RIGHT TO MAKE
MINOR ALTERATIONS OR CHANGES IN COUNTY DITCHES NO'S 30 AND 40 (LATERAL
10) IN MURRAY COUNTY:

The above-entitled matter came on for hearing before the County Ditch Authority, at the Murray County Government Center, in Slayton, Minnesota on the 4th day of March, 2014 at 10:30 a.m.

The Petitioner appeared by Chuck Slama.

The Petitioner presented evidence in support of its petition for permission to make minor alterations or changes in County Ditches No's 30 and 40 (Lateral 10), all as shown in the plan description attached to the petition.

It was made to appear that the minor alterations or changes in said County Ditches No's 30 and 40 (Lateral 10) petitioned for by the Petitioner would be advantageous or desirable in the maintenance and construction of Trunk Highway No. 62.

It was further made to appear that said minor alterations or changes in said County Ditches No's 30 and 40 (Lateral 10) would in no way impair the efficiency or functioning of the drainage system.

The Board having heard the evidence adduced by the Petitioner in support of its petition for permission to make minor alterations or changes in County Ditches No's 30 and 40 (Lateral 10), all as shown in the plan description marked Exhibits "A" and "B", and made a part thereof, hereby makes its Order consenting to and granting permission to said petitioner to make the minor alterations or changes in County Ditches No's 30 and 40 (Lateral 10), all as described in the exhibit marked "A" and "B" and

made a part thereof , said minor alterations or changes to be made at the sole cost and expense of the State of Minnesota.

The Board further orders that the Petitioner, State of Minnesota, by Charles A. Zelle, Commissioner of Transportation, pay to the County of Murray the sum of \$231.00 for publication fees and \$133.00 for filing fees incurred by said County in this matter.

IT IS FURTHER ORDERED that damages, if any, for any additional lands necessary for said changes or alterations shall be paid by the Petitioner herein.

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

Murray County Capital Improvement Plan

A Public Hearing was called to order at 11:03 a.m. for the purpose of taking comment on amendments to the Murray County Capital Improvement Plan that provides for new fuel pumps and a salt shed at the County Highway Department.

The following members were present: Commissioner Magnus, Commissioner Moline, Commissioner Giese, Commissioner Jens and Commissioner Thiner.

And the following were absent: None

Auditor/Treasurer Winter presented an overview of proposed amendments to the Murray County Capital Improvement Plan that included the construction of a salt shed and fuel pumps at the Highway Department.

11:15 a.m. The public hearing was opened for public comment. There were no members of the public present.

11:16 a.m. The public hearing was closed.

Commissioner Moline introduced the following resolution and moved its adoption:

RESOLUTION 2014-03-04-01

RESOLUTION APPROVING AMENDMENT TO CAPITAL IMPROVEMENT PLAN AND THE INTENTION TO USE GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BOND PROCEEDS FINANCE IMPROVEMENTS IDENTIFIED THEREIN

WHEREAS, pursuant to Minnesota Statutes, Section 373.40 the County of Murray, Minnesota (the "County") may issue bonds to finance capital expenditures under its capital improvement plan (the "Plan") without an election provided that, among other things, prior to issuing general obligation capital improvement plan bonds (the "Bonds") the County adopts the Plan after holding a public hearing thereon and publishing a notice of its intention to issue the Bonds and the date and time of a hearing to obtain public comment on the issuance of the Bonds and adoption of the Plan; and

WHEREAS, on July 1, 2011 \$1,965,000 General Obligation Capital Improvement Plan Bonds, Series 2011A were issued for capital improvement projects, and

WHEREAS, the capital projects fund has \$76,606.81 of residual funds left from the July 1, 2011 bond issue, and

WHEREAS, a public hearing was held on March 4, 2014 at 11:00 a.m. on the amended Plan and its intention to issue the residual Bonds where the notice of public hearing was published at least 14 but not more than 28 days before the date of the public hearing in the official newspaper of the County or a newspaper of general circulation in the County.

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners here by approves amendments to the Murray County Capital Improvement Plan as presented.

BE IT FURTHER RESOLVED, that the Auditor-Treasurer is authorized to transfer \$76,606.81 from the Capital Projects Fund to the Road and Bridge Fund for the projects identified therein, pending the required 30-day comment period.

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

The meeting adjourned at 11:20 a.m.

ATTEST:

Aurora Heard, Murray County Coordinator

John Giese, Chairman of the Board