

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
June 16, 2015 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners James Jens, Robert Moline, Gerald Magnus, Glenn Kluis, and David Thiner. Also present Aurora Heard, County Coordinator, Heidi Winter, Auditor-Treasurer, 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 Magnus, seconded by Kluis and passed to approve the agenda as modified.

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

Consent Agenda

1. Approval of the Minutes from June 2, 2015
2. Approval of the Minutes from June 9, 2015

It was moved by Moline, seconded by Thiner and passed to approve consent agenda item 1.

It was moved by Magnus, seconded by Thiner and passed to approve consent agenda item 2.

A motion was duly made by Kluis, seconded by Moline and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated June 9, 2015 with fund totals as follows and warrants numbered 146518 – 146587:

County Revenue Fund	50,216.65
County Road & Bridge Fund	17,014.40
Ditch	337.50
Sunrise Terrace	1,316.56
SAWSD	148.00
Total	69,033.11

It was moved by Jens, seconded by Magnus and passed to approve to add two ditch petitions (#2015-047 JD20A and #2015-047 JD14) to the agenda.

Commissioner Moline identified a conflict of interest with 2015-045 (CD 81, 32 Lake Sarah Township, Moline) and will abstain from voting on this petition.

Heidi Winter presented the following petition for repair:

2015-045 (CD 81, 32 Lake Sarah Township, Moline)

A motion was made by Magnus, seconded by Jens and carried that the Commissioners appointed as Inspectors in and for the County of Murray, are hereby instructed to examine and inspect 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 if deemed necessary, to prepare either a cost estimate of said repair, or order said repairs to be made, with a report to be given thereon at a Murray County Board of Commissioner's meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota.

Voting in Favor:

Magnus

Kluis

Jens

Thiner

Abstained:

Moline

Motion carried 4 to 0.

Heidi Winter presented the following petitions for repair:

- #2015-042 (CD 87, 25 Lake Sarah Township, Moline)
- #2015-043 (CD 75, 17 Slayton Township, Magnus)
- #2015-044 (JD 7, 29 Fenton Township, Magnus)
- #2015-047 (JD 20A, Sections 12 Shetek Township, Jens)
- #2015-047 (JD 14, Sections 11, 14 and 24 Chanarambie and Sections 17, 18, 19 Leeds, Moline)

A motion was made by Moline, seconded by Magnus and carried that the Commissioners appointed as Inspectors in and for the County of Murray, are hereby instructed to examine and inspect 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 if deemed necessary, to prepare either a cost estimate of said repair, or order said repairs to be made, with a report to be given thereon at a Murray County Board of Commissioner's meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota.

JD 14

It was moved by Moline, seconded by Jens and passed to approve accepting a petition for JD 14, determine JD 14 needs repair and appoint Duane Hansel or Bill Helget to prepare an engineering report.

Ditch Bills

<u>Bolton & Menk, Inc</u>				
	CD 35	5,755.00	2013-006	Improvement
	CD 61	992.50	2014-070	Improvement
	CD 73	2,239.50	2013-042	Improvement
	Subtotal	8,987.00		
<u>Buffalo Ridge Concrete, Inc</u>				
	CD 87	128.00	2015-072	Moline
	Subtotal	128.00		
<u>Mike Riley</u>				
	JD 14	189.00	2015-036	Moline
	Subtotal	189.00		
<u>Johnson Ditching, Inc</u>				
	CD 34	2,304.00	2014-091	Moline
	CD 37	471.24	2015-021	Magnus
	JD 7	194.50	2015-044	Magnus
	JD 14	426.99	2015-035	Moline
	Subtotal	3,396.73		
Total for All Ditch Bills		12,700.73		

A motion was made by Magnus, 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.

Fairgrounds Pork Producer/ADA Building Project Pay Application Number 2

It was moved by Kluis, seconded by Moline and passed to approve Pay Application No. 2 to Joe Schreier Construction for the Fairgrounds Pork Producer/ADA Building Project in the amount \$52,375.00.

Seven Mile Park Picnic Shelter and Sidewalk Project Pay Application 1:

It was moved by Thiner, seconded by Jens and passed to approve Pay Application No. 1 (final) to Lindberg Construction, LLC. for the Seven Mile Park Picnic Shelter and Sidewalk Project as follows:

Contract Amount: \$38,978.00

The change orders will be brought back to the June 23rd meeting.

Juniper Avenue Street Improvement project –Sunrise Terrace

It was moved by Kluis, seconded by Thiner and passed to approve paying the Sunrise Terrace Special Assessment for the Juniper Avenue Street improvement project in the amount of \$3,278.54 from account code:

Murray County 4-H Clubs, Inc. Fairground Donation

It was moved by Moline, seconded by Kluis and passed to accept a \$500.00 donation from the Murray County 4-H Clubs, Inc., restricted for the purpose of offsetting expenditures for the 4-H Building on the Fairgrounds (receipt code: 01-110-115-5760).

Swenson Park change Order #3

It was moved by Magnus, seconded by Jens and passed to authorize Change Order #3 for the Swenson Park Bathroom Project as follows:

- Labor, material and equipment to install 1 Door Closure on the Mechanical Room Door
- Total Cost of Change Order: \$275

Pork/Dairy Building Project Change Order #1

It was moved by Thiner, seconded by Moline and passed to authorize Change Order #1 for the Pork/Dairy Building Project as follows:

Labor, material and equipment to install a three compartment sink on the pork producer side. Total cost is \$2,650

Labor, material and equipment to build a wall and install glass board around the walk in cooler. Total cost is \$284 (material) + \$315 Labor = \$599

Upgrade to Two (2) Schlage Lever door knobs with push button and key control. Installed by Hub City Enterprise to match our key system \$175 x 2 = \$350

Add Quad Receptacles to the 3 Locations on the Dairy Side
Add wire in wall for 3 Phase Malt Machine where the Single Phase machine sits now
Add 2 lights to seating area to balance the lights out with the rafter layout
Add a light and switch in the walk in cooler
Add an outlet for Pork Producers pop machine below counter Total Cost \$475

Change order	\$4074
-	<u>\$137.97</u> (original exterior door knobs figured for the project)
Total	\$3,936.03

Evey Larson gave an update on the 2015 County Recorder's conference.

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

Amy Rucker and Ralph Knapp, Murray County EDA Board Chair, gave an update on the revolving loan fund.

At 10:30 a.m. the Board Chair called for the bid opening for bridge project SAP 51-599-096 (Belfast Township Bridge):

Company	Address	Bid Amount
Duininck Inc.	Prinsburg, MN	\$568,539.60
M & K Bridge Construction, Inc.	Walnut Grove, MN	\$512,805.00
Structural Specialties, Inc.	Hutchinson, MN	\$585,550.00
Prahm Construction, Inc.	Slayton, MN	\$475,372.00

The Wheelage tax was discussed. County Engineer Groves will tabulate the bids for accuracy.

It was moved by Thiner, seconded by Magnus and passed to reject the bid from EB Farms, Inc. as the bid was not responsive for failing to acknowledge the addenda 1 and 2 for the county Ditch 73 improvement project.

Commissioner Moline introduced the following resolution and moved its adoption:

Resolution 2015-06-16-01
A Resolution Awarding the County Ditch 73 Improvement Project

WHEREAS, on October 15, 2013 the Murray County Drainage Authority accepted a petition for Improvement and Laterals to portions of County Ditch 73 and appointed a qualified engineer (Resolution 2013-10-15-01), and

WHEREAS, A Preliminary Hearing was held on March 25, 2014 at 9:30 a.m. where the Preliminary Engineering Report was given and viewers were appointed, and

WHEREAS, A Final Hearing was held on November 14, 2015 where the Final Engineering Report, the Viewer's Report was given and the project authorized to bid, and

WHEREAS, Six qualified bids were received and opened on June 11, 2015 at 10:00 a.m.

NOW THEREFORE BE IT RESOLVED, that the County Ditch 73 Improvement Project is hereby awarded to Onken Backhoe, Inc. for the bid price of \$173,801.50.

BE IT FURTHER RESOLVED, that the Ditch Authority intends to reimburse itself for the project costs with a bond to be issued at a later time.

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

Area II Annual Legislative Gathering

It was moved by Moline, seconded by Thiner and passed by to approve any Commissioner attend the Area II and RCRCA Annual Legislative Gathering Meeting on November 14, 2015 at the Caboose in Tracy.

Ditch Meeting with Nobles County

It was moved by Moline, seconded by Magnus and passed to approve any Commissioner attend a ditch update meeting in Nobles County the morning of June 29th with Kurt Deter regarding legislative updates.

Regional Dispatch Meeting

It was moved by Thiner, seconded by Moline and passed to approve any Commissioner attend a meeting regarding regional dispatch at the Regional Development Commission on July 9, 2015 at 1:00 p.m.

Highway Maintenance Employee

It was moved by Jens, seconded by Kluis and passed to approve hiring Brian Rosenberg as a highway maintenance employee effective June 30 at a labor grade 9 step 2.

Preferred One Amendment #2

It was moved by Moline, seconded by Magnus and passed to approve tabling the Preferred One amendment #2 until Tuesday June 23rd.

SMOC Host Worksite Agreement

It was moved by Jens, seconded by Kluis and passed to approve and authorize Coordinator Heard to sign a SMOC host worksite agreement and work hour's policy.

Commissioner Thiner introduced the following resolution and moved its adoption:

Resolution 2015-06-16-02
Resolution Authorizing Imposition of Wheelage Tax

WHEREAS, Murray County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development; and

WHEREAS, too many motorists and pedestrians are being killed in traffic crashes on dangerous roadways, diminishing our citizens' quality of life; and

WHEREAS, funding for highway and transit systems in Minnesota has remained stagnant and is failing to keep pace with growing population and growing demands including increased freight shipments; and

WHEREAS, local governments throughout the state are struggling to maintain local transportation systems while state funding has not kept up with the needs on the State Aid system; and

WHEREAS, Minn. Stat. 163.051, Section 4, provides, in part, that the board of commissioners of each county is authorized to levy a wheelage tax on each motor vehicle which is kept in such county when not in operation and which is subject to annual registration and taxation under Chap. 168 at a rate of \$10 per vehicle through 2017 and up to \$20 per vehicle in 2018 and beyond; and

WHEREAS, Minn. Stat. 163.051 further provides that the board may provide by resolution for collection of the wheelage tax by county officials or it may request that the tax be collected by the state registrar of motor vehicles, and the state registrar of motor vehicles shall collect such tax on behalf of the county if requested; and

Whereas, Minn. Stat. 163.051, Section 4, Subd. 2, provides, in part, that the wheelage tax levied by any county, if made collectible by the state registrar of motor vehicles, shall be certified by the county auditor to the registrar not later than August 1 in the year before the calendar year or years for which the tax is levied, and the registrar shall collect such tax with the motor vehicle taxes on the affected vehicles for such year or years; and

WHEREAS, Minn. Stat. 163.051, Section 4, Subd. 4, provides that the treasurer of each county receiving proceeds from the wheelage tax is to deposit such proceeds in the county road and bridge fund, which moneys shall be used for purposes authorized by law which are highway purposes within the meaning of the Minnesota Constitution, article 14; and

WHEREAS, the Murray County Board of Commissioners desires to implement such a wheelage tax and have the state registrar of motor vehicles collect the same; and

WHEREAS, the proceeds of such a wheelage tax would be used to help improve the quality of the county road system;

NOW, THEREFORE, BE IT RESOLVED, THAT THE Murray County Board of Commissioners authorize and impose a wheelage tax as provided for in Minn. Stat. 163.051 of \$10.00 for the year 2016 and each subsequent year thereafter, subject to levy limits and other factors, on each motor vehicle which is kept in Murray County when not in operation and which is subject to taxation and registration under Chapter 168.

BE IT FURTHER RESOLVED that the county requests the state registrar of motor vehicles to collect the wheelage tax on behalf of the county.

The foregoing resolution was seconded by Commissioner Kluis and thereupon being put to a vote the following members voted in favor:

Thiner
Kluis
Magnus

Opposed:
Moline
Jens

Motion carried 3 to 2.

The Commissioners gave their committee reports for the period of May 24, 2015 to June 6, 2015.

James Jens reported on Commissioner Board Meeting and Hospital Board Meeting – May 26, District 8 Meeting – May 28, Fair Board Meeting (No Per Diem Claimed) – May 28, Ditch Inspection (#22) – May 29, Ditch Inspection (#22) (No Per Diem Claimed) – June 1, Commissioner Board Meeting – June 2, Personnel Meeting/EDA and Hospital Community Picnic (No Per Diem Claimed) – June 3, Parks Meeting – June 4.

Gerald Magnus reported on Commissioner Board Meeting and Hospital Board Meeting – May 26, AMC District 8 – May 28, Commissioner Board Meeting – June 2, Hospital Community Picnic (No Per Diem Claimed) – June 3, Ditch Inspection (#75) (Partial Per Diem Claimed) – June 5.

Robert Moline reported on Commissioner Board Meeting – May 26, District 8 Meeting – May 28, Fair Board (No Per Diem Claimed) – May 28, Ditch Inspection (#26) – May 29, Commissioner Board Meeting – June 2, Hospital Community Picnic (No Per Diem Claimed) – June 3, Area II and RCRC – June 4.

David Thiner reported on Commissioner Board Meeting/Hospital Board Meeting and Heron Lake Watershed District Meeting – May 26, AMC District 8 Meeting and Fair Board Meeting – May 28, Commissioner Board Meeting – June 2, Heron Lake Watershed Advisory Board and Fulda Fish and Game – June 3.

Glenn Kluis reported on Commissioner Board Meeting/Hospital Board Meeting/Early Childhood and DAC – May 26, A.C.E. Meeting – May 27, District Meeting and Fair Board Meeting – May 28, Commissioner Board Meeting – June 2, Hospital Community Picnic (No Per Diem Claimed) – June 3.

It was moved by Kluis, seconded by Magnus and passed to approve the Commissioner Vouchers for the period of May 24, 2015 to June 6, 2015.

County Engineer Groves called regarding the bid tabulations for bridge project SAP 51-599-096. The bid for Structural Specialties, Inc. totaled \$585,650 versus the \$585,550.00 read at the bid opening.

SAP 51-599-096 Bridge Project

It was moved by Moline, seconded by Thiner and passed to approve and accept the low bid from Prahm Construction Inc. in the amount of \$475,372.00 for bridge project SAP 51-599-096.

11:32 a.m. The meeting was adjourned.

ATTEST: _____
Aurora Heard, County Coordinator

James Jens, Chairman of the Board