

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
July 7, 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 Ronda Radke, Assistant Human Resources Director, Heidi Winter, Auditor-Treasurer, 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 Thiner, seconded by Moline and passed to approve the agenda as modified.

No other conflicts of interest were identified.

Consent Agenda

1. Approval of the Minutes from June 23, 2015

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

Transportation Heartland Bus

It was moved by Thiner, seconded by Magnus and passed to approve the vertical stanchion of \$130.00 on Resolution 2015-06-23-01 purchase of bus for the transit system.

Warrants

A motion was duly made by Moline, seconded by Thiner and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated 7-7-2015 with fund totals as follows and warrants numbered 146663 through 146745:

County Revenue Fund	30,947.79
County Road & Bridge Fund	15,054.80
EDA	155.30
Hospital	124.88
Sunrise Terrace	296.43
Total	46,579.20

#2015-052 (CD 68, Slayton City, Kluis)

It was moved by Magnus, seconded by Kluis and passed contingent if a county ditch, Heidi will determine if County Ditch 68 is the County's responsibility or the City of Slayton's. Auditor/Treasurer will bring back to the Board.

Heidi Winter presented the following petitions for repair:

- #2015-051 (CD 38, 30-Lowville Township, 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.

Voting in Favor:

- Magnus
- Kluis
- Moline
- Thiner
- Abstained: Jens

Motion carried 4 to 0.

**Ditch Bills**

A motion was made by Moline, seconded by Jens, 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.

<b>Johnson Ditching, Inc</b>				
	CD 50	2,120.00	2011-073 and 2015-002	Moline
	<b>Subtotal</b>	<b>2,120.00</b>		

**Swenson Park Bathroom Project – Pay Application No. 8**

It was moved by Moline, seconded by Magnus and passed to approve Pay Application No. 8 to Doom & Cuypers Construction, Inc. for the Swenson Park Bathroom Project in the amount \$3713.55.

**CD 35 Improvement – Pay Application No. 1**

It was moved by Magnus, seconded by Jens and passed to approve Pay Application No. 1 to Loo Con, Inc. for the County Ditch 35 Improvement/Lateral No. 1 Project in the amount \$142,520.17.

Jean Christoffels presented Conditional Use Permit #1315 for Loosbrock Carlson, LLC to construct a building for an accessory use in the Agriculture District, SE ¼ SW1/4, Section 28, Shetek Township. The board received the minutes from the June 18, 2015 public hearing, which included the findings of the Planning Commission.

It was moved by Thiner, seconded by Moline and passed to approve conditional use permit #1315 for Loosbrock Carlson, LLC to construct a building for an accessory use in the Agriculture District, SE1/4 SW1/4, Section 28, Shetek Township based on the recommendation of the Planning Commission.

Minnesota Investment Fund Grant Application Update.

Apprize (Benefits Connect) Software Cost Proposal

It was moved by Jens, seconded by Magnus and passed to approve the Apprize Software Cost Proposal with the annual renewal set up fee split based on the number of contracts between the county, hospital, and highway funds (account codes: 01-080-6452, 51-484-6998, 10-310-6452) and the monthly administration fee from the insurance fund account code: 31-149-6452.

Preferred One Amendment Update

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

Prahm Construction Project SAP 51-599-096

It was moved by Thiner, seconded by Jens and passed to approve the contract with Prahm Construction, project SAP 51-599-096 with the Board Chairperson and Auditor/Treasurer to sign the contract.

Aquatic Invasive Species Management Plan

It was moved by Moline, seconded by Magnus and passed to approve Commissioner Dave Thiner or Commissioner Glenn Kluis to approve any expenditures for up to \$5,000.00 for the Aquatic Invasive Species Management Plan.

It was approved by Thiner, seconded by Jens and passed to approve the Aquatic Invasive Species Management Plan.

It was moved by Moline, seconded by Thiner and passed to add two items to the agenda, Resolution State of Minnesota Amendment of License and Resolution authorizing participation in planning process and execution of agreement.

Commissioner Magnus introduced the following resolution and moved its adoption:

Resolution 2015-07-07-01

State of Minnesota Amendment of License, between the state of Minnesota, Department of Transportation and Murray County Emergency Management.

THIS AMENDMENT is made by and between the State of Minnesota, Department of Transportation, hereinafter referred to as LICENSOR, and Murray County Emergency Management, 2500 28<sup>th</sup> Street, P.O. Slayton, Minnesota 56172, hereinafter referred to as LICENSEE.

WHEREAS, the Commissioner of Transportation is empowered by Minnesota Statute 174.70, Subd. 2 to enter into agreements to permit privately owned communications equipment on Mn/DOT owned communications towers, land, buildings or other structures which are under the jurisdiction of the Commissioner of Transportation, and

WHEREAS, LICENSOR and LICENSEE entered into License No. LI-124, dated July 29, 2005, thereafter amended by Amendment 1 dated April 27, 2009 and Amendment 2 dated August 16, 2011, involving the use of LICENSOR'S communications tower and the land on which the tower is located, herein referred to respectively as the ("Communication Facility") located at 2209 221<sup>st</sup> St., Tracy, Minnesota 56175;

WHEREAS, LICENSOR and LICENSEE deem certain amendments and additional terms and conditions mutually beneficial for the effective continuation of said License;

NOW THEREFORE, LICENSOR and LICENSEE agree to substitution and/or addition of the following terms and conditions, which shall become a part of License No. LI-124.

1. **RENEWAL TERM** This License shall be renewed for an additional term of ten (10) years, commencing August 1, 2015 and continuing through July 31, 2025 ("Renewal Term"), at the same terms and conditions as set forth in the License and succeeding Amendments mentioned above.

Except as modified by the provisions of this Amendment, said License is ratified and confirmed as originally written.

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

Commissioner Magnus introduced the following resolution and moved its adoption:

Resolution 2015-07-07-02  
Participation in Planning Process and Execution of Agreement

WHEREAS, the County of Murray is participating in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional hazard mitigation plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and business; and

WHEREAS, the county will lead the planning effort with the assistance of consultants and State of Minnesota mitigation staff.

WHEREAS, the county will provide staff and resources from departments related to mitigation, will facilitate participation of jurisdiction within the county, and provide quarterly reporting on plan progress.

WHEREAS, the plan must include a risk assessment including past hazards, hazards that threaten the county, maps of hazards, an estimate of structures at risk, estimate of potential dollar losses for each hazard, a general description of land uses and future development trends; and

WHEREAS, the plan must include a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the plan must include a maintenance or implementation process including plan updates, integration of plan into other planning documents and how the county will maintain public participation and coordination; and

WHEREAS, the draft plan will be shared with the State of Minnesota and the Federal Emergency Management Agency (FEMA) for coordination of state and federal review and comment on the draft; and

WHEREAS, approval of the all hazard mitigation plan will make the county eligible to receive Hazard Mitigation Assistance grants as they become available; and

NOW THEREFORE, Be it resolved that Murray County will enter into an agreement with the Division of Homeland Security and Emergency Management in the Minnesota Department of Public Safety for the program entitled Hazard Mitigation Assistance (HMA) for the update of the Murray County Hazard Mitigation plan.

James Reinert, Murray County Emergency Management Director is hereby authorized to execute and sign such agreements and any amendments hereto as are necessary to implement the plan on behalf of Murray County.

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

#### Change Order No. 2 – Pork/Dairy Building

It was moved by Thiner, seconded by Magnus and passed to authorize Change Order #2 for the Pork/Dairy Building Project as follows:

- Labor and material to install concrete sidewalks by the walk doors of the pork and dairy building.
  - Pork Producer Sidewalk 6x16
  - Dairy Association sidewalk 4x12

Change Order total: \$1,075.00

Corabelle Park Flag Pole Donation

It was moved by Moline, seconded by Kluis and passed to accept the donation of a field stone base and flag pole from the Scully Family to be installed at Corabelle Park.

Fairgrounds Pork/Dairy Building – Pay Application No. 3

It was moved by Thiner, seconded by Kluis and passed to approve Pay Application No. 3 to Joe Schreier Construction for the Fairgrounds Pork Producer/ADA Building Project in the amount of \$55,802.25.

It was moved by Thiner, seconded by Magnus and passed to purchase the chemical for the Seven Mile Lake Park swimming beach and to apply after the permit has been received.

Discussion on the Open Ditch Spraying – Auditor/Treasurer will bring back to the Board on Monday, July 13, 2015.

Employee outing on July 23, 2015 at 5:30 p.m. discussion

Fairground flooding discussion

The Commissioners gave their committee reports for the period of June 21, 2015 to July 4, 2015.

James Jens reported on Commissioner Board Meeting and Hospital Board Meeting – June 23, Fair Board Meeting (No Per Diem Claimed) – June 25, EDA Meeting (No Per Diem Claimed) – June 26, Steve Ackerman Retirement Party/ Ditch Law Meeting/Ditch Sprayer – June 29, Hospital Building Meeting/Highway Department Building Problem – June 30, EDA Meeting (No Per Diem Claimed) – July 1.

Gerald Magnus reported on Hospital Finance Meeting and Hospital Personnel – June 22, Commissioner Board Meeting and Hospital Board Meeting – June 23, Fair Board Meeting (No Per Diem Claimed) – June 25, EDA (No Per Diem Claimed) – June 26, Ditch Law Meeting – June 29, EDA Meeting (No Per Diem Claimed) – July 1.

Robert Moline reported on Commissioner Board Meeting and Hospital Board Meeting – June 23, Ditch Inspection (#14) and Fair Board Meeting (Partial Per Diem Claimed) – June 25, Southern Prairie Health Purchasing Alliance - June 26, Ditch Inspection (CD#41) (Partial Per Diem Claimed) – June 27, Steve Ackerman Retirement Party (No Per Diem Claimed) – June 29, Judicial Ditch #14, Open House at Hospital for new Doctor – June 30, Swenson Park (Partial Per Diem Claimed) – July 3, Check County Parks and Pleasant View Lot (Partial Per Diem Claimed) – July 4.

David Thiner reported on Hospital Finance Meeting and SMOC Meeting – June 22, Commissioner Board Meeting and Hospital Board Meeting – June 23, Fulda Fish and Game (No Per Diem Claimed) –

June 24, Nobles County Buffer and Steve Ackerman Retirement Party – June 29, Open House at Hospital for new Doctor (No Per Diem Claimed) – June 30, Sunrise Terrace Meeting – July 2.

Glenn Kluis reported on Commissioner Board Meeting/Early Childhood/Hospital Board Meeting and DAC – June 23, ACE Meeting – June 25, Coordinator on Aging/ Airport Problem/ Ditch #68 and Steve Ackerman Retirement Party – June 29, Hospital Building Meeting/Highway Department Building Problem and Open House at Hospital for new Doctor – June 30, Sunrise Terrace Meeting – July 2.

It was moved by Moline, seconded by Thiner and passed to approve the Commissioner Vouchers for the period of June 21, 2015 to July 4, 2015.

11:13 a.m. The meeting was recessed until Monday July 13, 2015 at 8:00 a.m.

Monday July 13, 2015

Pursuant to notice, the Murray County Board of Commissioners reconvened with the following members present: Commissioners James Jens, Robert Moline, Gerald Magnus, Glenn Kluis, and David Thiner. Also present Aurora Heard, County Coordinator, Justin Hoffman, Parks Director

8:05 a.m. The meeting reopened by reciting the Pledge of Allegiance to the Flag.

It was moved by Magnus, seconded by Thiner and passed to approved adding a closed session pursuant to Minnesota Statute 13D.05 Subd. 3c3 to discuss the purchase of parcel #29-015-0340.

8:05 a.m. It was moved by Thiner, seconded by Kluis and passed to go into closed session pursuant to Minnesota Statute 13D.05 Subd. 3c3 to discuss the purchase of parcel #29-015-0340.

Present: Commissioners James Jens, Robert Moline, Gerald Magnus, Glenn Kluis, and David Thiner. Also present Aurora Heard, County Coordinator & Justin Hoffman, Parks Director

8:13 a.m. It was moved by Moline, seconded by Magnus and passed to come out of closed session.

Auditor/Treasurer Winter updated the Board on ditch spraying.

8:29 a.m. The meeting was recessed until Tuesday July 14, 2015 at 8:15 a.m.

Tuesday July 14, 2015

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

It was moved by Moline, seconded by Thiner and passed to approve to add to the agenda a meeting on July 22 on Televate Broadband Briefing.

It was moved by Thiner, seconded by Jens and passed to approve any Commissioner attend the Televate Broadband Briefing meeting on July 22, 2015 in Marshall.

8:31 a.m. The meeting was adjourned.

ATTEST: \_\_\_\_\_  
Aurora Heard, County Coordinator

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James Jens, Chairman of the Board