

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
November 17, 2015 9:00 a.m.

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

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.

No conflicts of interest were identified.

It was moved by Magnus, seconded by Thiner and passed to approve the agenda as modified.

Consent Agenda

1. Approval of the Minutes from November 3, 2015
2. Approval of the Minutes from November 4, 2015
3. Approval of the Minutes from November 9, 2015

It was moved by Moline, seconded by Magnus and passed to approve consent agenda item numbers 1, 2, and 3.

A motion was duly made by Thiner, seconded by Magnus and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated November 17, 2015 with fund totals as follows and warrants numbered 147864 – 147942:

County Revenue Fund	59,647.58
County Road & Bridge Fund	16,843.45
Ditch	101.26
Health Insurance	525.00
Sunrise Terrace	759.48
SAWSD	148.00
Total	78,024.77

Pay Application Number 5

It was moved by Magnus, seconded by Moline and passed to approve Pay Application No. 5 to Loo Con, Inc. for the County Ditch 35 Improvement/Lateral No. 1 Project in the amount \$78,086.42.

Commissioner Moline introduced the following resolution and moved its adoption:

RESOLUTION 2015-11-17-01  
RESOLUTION AUTHORIZING AND

## FIXING TERMS OF SALE

NOW THEREFORE BE IT RESOLVED, that the parcels of land forfeited to the State for nonpayment of taxes, appearing on the list filed with the County Auditor, which have been classified and appraised as provided by Laws 1935, Chapter 386 as amended, shall be offered for sale by the County Auditor, said sale to commence at 10:00 A.M. on December 14, 2015 in the Commissioner Room of the Murray County Government Center, and the County Auditor is hereby directed to publish notice of sale as provided by law.

BE IT FURTHER RESOLVED, that the terms of the sale shall be for cash only.

The foregoing resolution was duly seconded by Jens and thereupon being put to a vote all members voted in favor.

The County Board discussed the 2016 levy.

### Ditch Inspection Reports

A motion was made by Moline, 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.

- #2014-096 (JD 7, 27-Fenton Township, District 3) – previous year petition that requires additional work to raise tile inlet 12” to the height of the field
- #2015-081(CD 47, 15-Leeds Township, District 2)
- #2015-082 (CD 34, 27-Ellsborough Township, District 2)

It was moved by Thiner, seconded by Moline and passed to approve accepting the ditch inspection report #2015-066 (CD 56, 17-Bondin Township, District 5) finding that no repair was required.

### Ditch Bills

A motion was made by Magnus, 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.

<u>Contractor</u>	<u>Ditch #</u>	<u>Amount</u>	<u>Petition #</u>	<u>Commissioner</u>
<b>Rinke Noonan</b>				
	All Ditches	200.00	Monthly Retainer Fee	
	<b>Subtotal</b>	<b>200.00</b>		
<b>Bolton &amp; Menk, Inc</b>				
	JD 8	4,288.50	2014-085	Improvement
	CD 61	702.50	2014-070	Improvement
	CD 73	3,300.00	2013-042	Improvement
	CD 35	11,496.00	2013-006	Improvement
	JD 3	11,320.00	2012-018	Improvement
	CD 4	575.00	Check Elevations - Dovray Slough	
	<b>Subtotal</b>	<b>31,682.00</b>		
<b>Total for All Ditch Bills</b>		<b>31,882.00</b>		

Final Payment Project Number SAP 051-629-030, SAP 051-638-023 & SAP 051-639-006

It was moved by Moline, seconded by Magnus to accept completed project numbers SAP 051-629-030, SAP 051-638-023 & SAP 051-639-006, contract number 20153, and approve final payment to Knife River Corp. in the amount of \$91,422.92 and authorize Coordinator Heard sign the certificate of final Acceptance County Board acknowledgement form.

The County Board discussed ditch viewers.

It was moved by Magnus, seconded by Moline and passed to approve the following findings of fact and order concerning redetermination of benefits on Judicial Ditch 10:

BEFORE THE MURRAY COUNTY BOARD OF  
COMMISSIONERS ACTING AS DRAINAGE AUTHORITY  
FOR JUDICIAL DITCH #10

Findings of Fact and Order Concerning  
Redetermination of Benefits, Pursuant to  
Minnesota Statutes 103E.351

WHEREAS, the original benefits for Judicial Ditch #10, as determined in the original drainage proceedings, do not reflect reasonable present day values and the benefitted or damaged areas may have been changed.

NOW, THEREFORE, the Murray County Board of Commissioners, acting as Drainage Authority for Judicial Ditch #10, hereby orders the Redetermination of Benefits for Judicial Ditch #10 and appoints John Schueller, Kevin Vickerman, Luke Olson, and Blake Garberich (alternate) as viewers.

Dated this 17th day of November 2015.

MURRAY COUNTY BOARD OF  
COMMISSIONERS ACTING AS DRAINAGE  
AUTHORITY FOR JUDICIAL DITCH #10

By \_\_\_\_\_  
James Jens, Its Chairperson

Jon Bloemendaal gave an update on the annual feedlot conference he attended.

Commissioner Moline introduced the following resolution and moved its adoption:

RESOLUTION NO.2015-11-17-02  
A RESOLUTION OF MURRAY COUNTY  
IN SUPPORT OF A SMALL CITIES DEVELOPMENT PROGRAM PROJECT

BE IT RESOLVED THAT MURRAY COUNTY will act as the legal sponsor for a Minnesota Department of Employment and Economic Development Small Cities Development Program (“SCDP”) Single Family Housing Repair Loan Project (“Project”).

BE IT FURTHER RESOLVED Murray County has the institutional, managerial, and financial capacity to ensure adequate construction, operation, maintenance and replacement of the Project for its design life.

BE IT FURTHER RESOLVED that Murray County has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that Murray County approves commitment of \$1,873.45 of SCDP Program Income to foster rehabilitation of housing for low and moderate income residents in support of this Project.

BE IT FURTHER RESOLVED that Murray County approves commitment of \$427,983.42 from Murray County’s Federally-funded Minnesota Investment Fund account in support of this Project.

BE IT FURTHER RESOLVED that Murray County may enter into an agreement with the State of Minnesota for this Project, and Murray County certifies it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW THEREFORE BE IT RESOLVED that the Chair and the County Coordinator, or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the Project(s) on behalf of the applicant.

The foregoing resolution was duly seconded by Magnus and thereupon being put to a vote all members voted in favor.

It was moved by Jens, seconded by Thiner and passed to approve adopting the anti-displacement plan.

It was moved by Moline, seconded by Magnus and passed to approve and authorize the Board Chair sign a certification of a drug-free workplace.

It was moved by Magnus, seconded by Jens and passed to approve a Fair Housing plan of action.

It was moved by Moline, seconded by Thiner and passed to approve and authorize the Board Chair sign a prohibition of excessive force policy.

It was moved by Magnus, seconded by Thiner and passed to approve and authorize the Board Chair to sign a loan repayment and program income plan.

It was moved by Moline, seconded by Jens and passed to approve the section 3 requirement, "Murray County through the Small Cities Development Program Income Project will to the greatest extent feasible, market to low and very low-income persons or businesses, and female or minority owned contractors" and to authorize the Board Chair sign a plan for Murray County.

It was moved by Moline, seconded by Thiner and passed to approve the statutory checklist.

It was moved by Jens, seconded by Magnus and passed to approve and authorize the Board Chair to sign a certificate of categorical exclusion environmental activities for SCDP funded projects.

It was moved by Moline, seconded by Magnus and passed to approve a request for release of funds and certification.

It was moved by Magnus, seconded by Thiner and passed to approve contract for administrative services with the southwest Minnesota housing partnership.

It was moved by Moline, seconded by Jens and passed to approve small cities development program income project residential owner occupied procedural guidelines.

It was moved by Moline, seconded by Magnus and passed to approve a public hearing for the Single Family Owner – Occupied Home Repair Loan Program at 9:30 a.m. on December 1, 2015.

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

It was moved by Moline, seconded by Thiner and passed to approve the following 2016 seasonal camping changes based on the recommendations of the Parks Committee:

Total number of campsites per park with number of 2015 seasonal sites inside	
Sundquist park on West Lake Sarah	14
7-Mile Park in Fulda	14 (4)
Swenson Park on Current Lake	18 (4)

The County Board reviewed the racing association lease.

2016 Coroner Contract – The County Board discussed the 2016 coroner contract.

It was moved by Moline, seconded by Magnus and passed to approve and authorize Coordinator Heard to sign a Preferred One eligibility amendment for each of the three plans and a flexible benefit eligibility amendment.

The Commissioners gave their committee reports for the period of October 25, 2015 to November 7, 2015.

James Jens reported on Audit Report – October 26, Commissioner Board Meeting and Hospital Board Meeting - October 27, Murray County Organizational Study – October 28, Highway Department Safety Meeting – October 30, Commissioner Board Meeting - November 3, Road Tour – November 4, District 8 – November 5.

Gerald Magnus reported on Hospital Finance Meeting and Hospital Personnel Meeting – October 26, Commissioner Board Meeting and Hospital Board Meeting – October 27, Legal Meeting – October 29, Hospital Conference – October 30 & 31, Insurance Committee – November 2, Commissioner Board Meeting – November 3, Road Tour – November 4, AMC District – November 5, Hospital Gala (No Per Diem Claimed) – November 6.

Robert Moline reported on Commissioner Board Meeting and Dovray Structure – October 27, Meet with Attorney – October 29, Hospital Meeting – October 30 & 31, Supporting Hands Nurse Family Partnership – November 2, Commissioner Board Meeting – November 3, Road Tour – November 4, District 8 and AMC Meeting – November 5.

David Thiner reported on Hospital Finance Committee and SMOC Meeting – October 26, Commissioner Board Meeting and Hospital Meeting – October 27, Organizational Planning – October 28, Commissioner Board Meeting – November 3, Road Tour – November 4, Park Board and AMC District – November 5.

James Jens reported the following on behalf of Glenn Kluis Commissioner Board Meeting/Hospital Board Meeting/ECI and DAC Meetings – October 27, Commissioner Board Meeting – November 3, Road Tour and Ditch Tour – November 4, AMC Meeting – November 5, Hospital Gala (No Per Diem Claimed) – November 6.

It was moved by Thiner, seconded by Moline and passed to approve the Commissioner Vouchers for the period of October 25, 2015 to November 7, 2015.

11:40 a.m. The meeting was adjourned.

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

\_\_\_\_\_  
James Jens, Chairman of the Board