

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
November 24, 2015 9:00 a.m.

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

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

The Vice-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 Kluis and passed to approve the agenda as modified.

Consent Agenda

1. Approval of the Minutes from November 17, 2015

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

Ditch Inspection Report: #2015-083 (JD 19, 31-Lowville Township, District 2)

It was moved by Kluis, seconded by Moline to approve repairing the driveway by restoring it to its as built condition and any widening or lengthening would have to be paid by the landowner.

A motion was made by Magnus, seconded by Thiner 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.

- #2015-084 (CD 72, 30-DesMoines River Township, District 1)

Crop Damage on petition #2013-029 – This item will be discussed at a later date.

Ditch Bills

A motion was made by Moline, seconded by Magnus 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> |
|--------------------------------|-----------------|-----------------|-------------------|---------------------|
| <u>Johnson Ditching</u> | | | | |
| | JD14 | 635.85 | 2015-028 | District 2 |
| | CD 34 | 593.00 | 2015-041 | District 2 |
| | Subtotal | 1,228.85 | | |

Truck Highway 267 Snow Plow Contract

It was moved by Magnus, seconded by Kluis and passed to approve and authorize County Engineer Randy Groves sign MnDot agreement number 03514, for trunk highway 267.

5 year Road and Bridge Plan

It was moved by Moline, seconded by Kluis and passed to approve adopting the five year road and bridge plan.

FY 2016-2017 Block Grant Agreement

It was moved by Moline, seconded by Magnus and passed to approve and authorize Vice-Chairman David Thiner to sign FY 2016-2017 State of Minnesota Board of Water and Soil Resources Block Grant Agreement.

9:55 a.m. Commissioner Magnus was excused from the meeting.

2014 State Audit Report

It was moved by Moline, seconded by Kluis and passed to approve accepting the 2014 State Audit report.

Assessor's Technician Job Description

It was moved by Moline, seconded by Kluis and passed to approve the updated Assessor's Technician job description.

Assessor's Technician

It was moved by Thiner, seconded by Kluis and passed to approve beginning the recruitment process for a full time Assessor's Technician.

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

Commissioner Moline introduced the following resolution and moved its adoption:

County Program Aid Resolution
2015-11-25-01

Affirming Murray County's endorsement of the revised County Program Aid formula developed by the Association of Minnesota Counties' County Program Aid Work Group.

WHEREAS, Minnesota's counties are mandated by the state to provide essential services in many program areas including human services, public safety, and transportation; and

WHEREAS, counties depend on County Program Aid ("CPA") for the financial sustainability of these state-mandated, county-administered services; and

WHEREAS, the current structure of the CPA formula, pursuant MS Chapter 447A.0124, creates considerable volatility in the fund's distribution, interfering with counties' abilities to accurately budget for essential services; and

WHEREAS, the current formula's inadequacies have also resulted in the dramatic reduction of funding for one-third of counties, that have lost at least 50 percent of their funding since 2005; and

WHEREAS, despite fluctuations over the past ten years, the state appropriation to the 2015 CPA is equal to the 2005 appropriation making it greatly depressed in terms of inflation; and

WHEREAS, a revised CPA formula in conjunction with additional funding will enable counties to continue to provide quality services that may also translate into reductions in county levies, decreasing the tax burden of Minnesota residents; and

WHEREAS, in October 2014, the Association of Minnesota Counties assembled the CPA Work Group including leadership from twenty counties and representatives from the Metropolitan Inter-County Association and the Minnesota Rural Counties Caucus to analyze and develop a CPA formula that reflects the pressing needs of Minnesota's counties; and

WHEREAS, the CPA Work Group unanimously approved a revised CPA formula that benefits all Minnesota counties by reducing volatility and ensuring a fair distribution of CPA; and

WHEREAS, the Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support the proposed CPA formula revisions; now, therefore,

BE IT RESOLVED, Murray County endorses the following revisions to the Minnesota County Program Aid formula:

- A funding increase of \$40 million;
- The creation of a funding floor that guarantees each county \$350,000 in tax base equalization aid ("TBEA");
- Adjustments to the TBEA formula factors to slow down counties' loss of TBEA funding, including: an increase of the per capita factor to \$190 and a decrease of the county adjusted net tax capacity (ANTC) factor to 9 percent;
- The elimination of special funds and transition aid; and

- The creation of a 5% cap on annual CPA losses; ensuring no county will lose more than 5% of its funding each year.

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

Area II Agreement

It was moved by Thiner, seconded by Kluis and passed to approve and authorize Commissioner Robert Moline sign the Area II agreement.

Snowmobile Grant

It was moved by Kluis, seconded by Moline and passed to approve and authorize Vice-Chairman David Thiner sign the 2016-2017 snowmobile grant.

Luther Onken and Tom Messner met with the County Board regarding the county parking lot and the possibility of adding a practice facility on the south side of the high school.

The Commissioners gave their committee reports for the period of November 8, 2015 to November 21, 2015.

David Thiner reported on behalf of James Jens on Organizational Meeting – November 9, Historical Society – November 10, Soil & Water and EDA – November 12, Area II and RCRCA – November 14, Department Head Meeting and SAWS – November 16, Commissioner Board Meeting – November 17, Casey Jones Trail Meeting – November 18.

Robert Moline reported on behalf of Gerald Magnus on Organizational Meeting – November 9, EDA and RDC (No Per Diem Claimed) – November 12, Hospital Bylaws – November 13, Area II – November 14, PACE (No Per Diem Claimed) - November 16, Commissioner Board Meeting – November 17, Southwest Health & Human Services (No Per Diem Claimed) – November 18, ATP 8 (No Per Diem Claimed) – November 20.

Robert Moline reported on Organizational Meeting and SAWS – November 9, Adult Mental Health (No Per Diem Claimed) – November 13, Area II and RCRCA – November 14, SAWS Meeting – November 16, Commissioner Board Meeting – November 17, Southwest Health & Human Services (No Per Diem Claimed) - November 18, Southern Prairie Health Purchasing Alliance – November 19.

David Thiner reported on Organizational Meeting – November 9, Hospital Bylaws – November 13, Area II and RCRCA – November 14, SMOG Meeting – November 16, Commissioner Board Meeting – November 17.

Glenn Kluis reported on Organizational Meeting – November 9, ACE Meeting – November 19.

It was moved by Moline, seconded by Thiner and passed to approve the Commissioner Vouchers for the period of November 8, 2015 to November 21, 2015.

Opening of Public Hearing and Introductions – Vice-Chair, David Thiner

The following were present: Commissioner Moline, Commissioner Kluis, Commissioner Thiner, County Attorney Smith, Coordinator Heard, Auditor/Treasurer Winter, County Engineer/Ditch Inspector Groves, Currie City Council Member/Project Manager Gene Short, Currie Mayor Jeb Malone, SEH Engineer Scott LaVoy, Murray County News Reporter Dorothy Bloemendaal

Purpose of Hearing – Petitioner Attorney, Kurt Deter – Mr. Deter made the request to transfer the portion of the ditch within the City of Currie to the City of Currie.

Record of Notice Requirements – Auditor-Treasurer, Heidi Winter: The notice was published in the editorial group and mail notices were sent to the city of Currie and any benefited landowners, notice was sent via email to the County Board, County Attorney, Ditch Inspector, County Coordinator and petitioners Attorney.

Presentation by Petitioners – Scott LaVoy and City of Currie Representatives

Public Comment and Questions

It was moved by Moline, seconded by Kluis and passed to approve to transfer the portion of the ditch within the City of Currie to the City of Currie and for the Chairman to sign the findings of fact.

BEFORE THE MURRAY COUNTY BOARD OF
COMMISSIONERS, ACTING AS DRAINAGE AUTHORITY
FOR MURRAY COUNTY DITCH #60

Findings of Fact and Order for Transfer
of Portions of Murray County Ditch #60,
Pursuant to Minnesota Statutes 103E.812

WHEREAS, a Petition was received from the City of Currie as an owner of benefitted property by way of being a municipality and a Water Management Authority with the original intention to abandon portions of Murray County Ditch #60; and

WHEREAS, a public hearing was held on Tuesday, November 24, 2015, at 11:00 a.m. in the Commissioners Room of the Murray County Courthouse; and

WHEREAS, public notice was given pursuant to Minnesota Statutes 103E.811, Subd. 4, which also complies with the notice requirements of Minnesota Statutes 103E.812; and WHEREAS, upon further review and discussion, Petitioner, the City of Currie, indicated that it would provide for better

management of drainage system waters by transferring portions of Murray County Ditch #60 within the City of Currie to the City of Currie rather than an abandonment; and

WHEREAS, Scott LaVoy, a professional engineer with SEH, provided testimony as to future plans for the City of Currie to address drainage issues within the City of Currie; and

WHEREAS, upon review of County Board Minutes from 1995, it appears the intent at that time was to transfer jurisdiction to the City of Currie, but no procedural hearings were held; and

WHEREAS, the hearing was open to public comment and there were no public landowners present other than the City of Currie representatives and there were no objections to the transfer to the City of Currie of portions of Murray County Ditch #60.

NOW, THEREFORE, based on the testimony and written documentation, the Murray County Board of Commissioners, acting as Drainage Authority for Murray County Ditch #60, makes the following Findings of Fact and Order:

FINDINGS OF FACT

1. That the Drainage Authority determines that the storm surface or floodwaters and subsurface water for Murray County Ditch #60 within the City limits of the City of Currie could be better managed by the City of Currie as the system basically acts as a storm water utility for the City of Currie.

ORDER

NOW, THEREFORE, it is hereby ordered that the portion of Murray County Ditch #60 within the City limits of the City of Currie as of this date shall be transferred to the City of Currie. That further, those portions of Murray County Ditch #60 that are not abandoned and are outside the City limits of the City of Currie are guaranteed an outlet at least equal to the outlet that exists on the date of this transfer.

Dated this 24th day of November 2015.

MURRAY COUNTY BOARD OF
COMMISSIONERS, ACTING AS DRAINAGE

AUTHORITY FOR MURRAY COUNTY
DITCH #60

By _____
Its Chairperson

11:19 a.m. The meeting was adjourned.

ATTEST: _____ _____
Aurora Heard, County Coordinator David Thiner, Vice-Chairman of the Board