

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
April 18, 2017, 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Gerald Magnus, James Jens, Glenn Kluis, David Thiner and Lori Gunnink. Also present Aurora Heard, County Coordinator, and Travis Smith.

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 Jens, seconded by Gunnink and passed to approve the agenda as modified.

No conflicts of interest were identified.

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

1. Approve Minutes from April 4, 2017

A motion was duly made by Thiner, seconded by Jens and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated April 18, 2017 with fund totals as follows and warrants numbered 152565 – 152646:

County Revenue Fund	\$77,908.77
County Road & Bridge Fund	\$10,543.10
Ditch	\$936.75
Sunrise Terrace	\$806.07
SAWSD	\$154.00
Total	\$90,348.69

There were no ditch bills for the April 18, 2017 meeting.

It was moved by Thiner, seconded by Magnus and passed to appoint Rich Kvols as an additional alternate viewer for the Redetermination of Benefits of Judicial Ditch 14. (John Schueller, Kevin Vickerman, Luke Olson and Blake Gaberick (alternate) were appointed on March 22, 2016).

It was moved by Thiner, seconded by Gunnink and passed to authorize an expenditure of \$2,375.28 to the low bidder Randy's Floor Covering to replace the carpet in Sunrise Terrace Apartments 103 and 206 (account code: 55-890-6304).

It was moved by Jens, seconded by Magnus and passed to approve the following county Liquor License Renewals for 2017, contingent upon receipt of all paperwork received in the Office of the Auditor-Treasurer:

“On and Off Sale & Sunday Liquor” License No. 1 to Brian’s Supper Club & Tavern  
“On and Off Sale & Sunday Liquor” License No. 2 to Key Largo Restaurant and Bar  
“On and Off Sale & Sunday Liquor” License No. 4 to Breezy Point Tavern, LLC d/b/a Breezy Point Tavern

Commissioner Gunnink introduced the following resolution and moved its adoption:

Resolution 2017-04-18-01  
A Resolution Awarding the Judicial Ditch 8 Improvement Project

WHEREAS, on September 16, 2014, the Murray County Drainage Authority accepted a petition for Improvement to portions of Judicial Ditch 8 and appointed a qualified engineer (Resolution 2014-09-16-01), and

WHEREAS, A Preliminary Hearing was held on December 29, 2015. where the Preliminary Engineering Report was given and viewers were appointed, and

WHEREAS, A Final Hearing was held on November 17, 2016 where the Final Engineering Report, the Viewer’s Report was given and the project authorized to bid, and

WHEREAS, Five (5) qualified bids were received, opened and read on April 11, 2017 at 10:00 a.m.

NOW THEREFORE BE IT RESOLVED, that the Judicial Ditch 8 Improvement Project is hereby awarded to Loo Con, Inc. for the bid price of \$378,212.14,

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 duly seconded by Commissioner Thiner with all members voting in favor.

It was moved by Magnus, seconded by Gunnink and passed to approve a subordination agreement with Jaelyn K. Lanoue for property at 136 East Emory Street, Tracy, MN 56175 (Lyon County tax i.d. # 311320020) for a Regional Small Cities Development Program Loan, further moving to authorize the Auditor-Treasurer to sign the agreement on behalf of the County.

Auditor Treasurer/Winter gave an update on JD 3.

A motion was made by Jens, seconded by Gunnink 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.

- *Petition #2017-009 (JD 14: Leeds Twp. Sec. 16 & 9, District 2 – Gunnink)*
- *Petition #2017-010 (CD52: Holly Twp. Sec 27, District 1 – Jens)*
- *Petition #2017-011 (CD 29: Shetek Twp. Sec.25 & 26, District 1 – Jens)*
- *Petition #2017-008 (CD 20, Lowville Twp. Sec. 14, District 2 – Gunnink)*
- *Petition #2017-012 (JD 09, Lowville Twp. Sec. 23, District 2 – Gunnink)*

It was moved by Jens, seconded by Gunnink and passed to approve and authorize the Board Chair sign an agreement for tree, brush, and weed spraying with B & W Control Specialists, Inc.

Commissioner Thiner introduced the following resolution and moved its adoption:

2017-04-18-02  
Murray County  
Board of County Commissioners  
Review of Proposed State Land Acquisition

In accordance with Minnesota Statutes 84.944, Sub. 3 and 97A.145, Sub. 2, the Commissioner of the Department of Natural Resources on April 18, 2017 provided the county board with a description of lands to be acquired by the State of Minnesota for Wildlife Management purposes.

Lands to be acquired are described as follows:

LEGAL DESCRIPTION

That part of the SE 1/4 of the NE 1/4 of Section 10, Township 108 North, Range 42 West, Murray County, Minnesota, described as follows:

Beginning at the East Quarter Corner of said Section 10; thence on an assumed bearing of North 0 degrees 00 minutes 00 seconds East, along the east line of said section, a distance of 528.00 feet to an iron monument; thence South 89 degrees 48 minutes 18 seconds West a distance of 726.00 feet to an iron monument; thence continuing South 89 degrees 48 minutes 18 seconds West a distance of 445.00 feet to an iron monument; thence South 0 degrees 00 minutes 00 seconds West a distance of 528.00 feet to an iron monument located on the east-west quarter line of said section; thence North 89 degrees 48 minutes 18 seconds East, along said east-west quarter line, a distance of 1171.00 feet to the point of beginning; containing 14.19 acres, subject to easements now of record in said county and state.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Murray

County on April 18, 2017 accept that the State's proposed acquisition of the attached described property be approved.

The foregoing resolution was duly seconded by Commissioner Magnus with all members voting in favor.

James Reinert gave an update on a conference he attended.

The Commissioners gave their committee reports for the period of March 26, 2017 to April 8, 2017.

James Jens reported on Solid Waste Commission (Partial Per Diem Claimed) – March 27, Commissioner Board Meeting and Southwest Health and Human Services Open House (Partial Per Diem Claimed) – March 28, MCIT Training – March 29, Hospital Planning (Partial Per Diem Claimed) – March 30, Commissioner Board Meeting (Partial Per Diem Claimed) – April 4, EDA Meeting (No Per Diem Claimed) – April 5, EDA Housing (No Per Diem Claimed) – April 6.

Gerald Magnus reported on PACE and Rural MN Energy Board – March 27, Commissioner Board Meeting and Southwest Health and Human Services Open House – March 28, MCIT Training – March 29, Hospital Plan (Partial Per Diem Claimed) – March 30, Personnel Meeting (Partial Per Diem Claimed) – March 31, One Water Plan (Partial Per Diem Claimed) – April 3, Commissioner Board Meeting and Personnel Meeting – April 4, EDA (No Per Diem Claimed) – April 5, EDA Housing and SRDC (No Per Diem Claimed) – April 6, ATP8 (No Per Diem Claimed) – April 7.

Lori Gunnink reported on Commissioner Board Meeting (Partial Per Diem Claimed) – March 28, DOT Meeting (No Per Diem Claimed) and Fair Board Meeting (Partial Per Diem Claimed) – March 30, Commissioner Board Meeting (Partial Per Diem Claimed) – April 4, Area II and RCRC (Partial Per Diem Claimed) – April 6, Nobles Coop Annual Meeting (No Per Diem Claimed) – April 8.

David Thiner reported on Commissioner Board Meeting (Partial Per Diem Claimed) – March 28, MCIT Training (Partial Per Diem Claimed) – March 29, Transportation Plan – March 30, Commissioner Board Meeting (Partial Per Diem Claimed) - April 4, Excel Energy Audit (Partial Per Diem Claimed) – April 5.

Glenn Kluis reported on Commissioner Board Meeting (Partial Per Diem Claimed) – March 28, MCIT Training (Partial Per Diem Claimed) – March 29, Fair Board Meeting (Partial Per Diem Claimed) – March 30, Personnel Meeting (Partial Per Diem Claimed) – March 31, Commissioner Board Meeting (Partial Per Diem Claimed) – April 4, Nobles Coop Annual Meeting (No Per Diem Claimed) – April 8.

It was moved by Magnus, seconded by Gunnink and passed to approve the Commissioner Vouchers for the period of March 26, 2017 to April 8, 2017.

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

Consensus for Parks Director Hoffman to get a detailed quote including pricing regarding the extra electrical circuits in the cattle barn.

It was moved by Thiner, seconded by Gunnink and passed to approve and authorize the Board Chair, Auditor/Treasurer, and County Attorney sign a construction contract with Duininck, Inc. for bituminous overlay projects SAP's 51-618-004, 51-620-005, 51-629-032, 51-641-002, 51-642-016, 51-648-005, CP 80-17 and CP 96-17.

It was moved by Magnus, seconded by Jens and passed to approve and authorize the Board Chair, Auditor/Treasurer, and County Attorney sign a construction contract with AAA Striping Service Co. HSIP striping project SP 51-070-004.

It was moved by Jens, seconded by Gunnink and passed to approve purchasing two HP Z440 computers and four monitors in the amount of \$6,206.22 from account code: 10-310-6480.

It was moved by Thiner, seconded by Gunnink and passed to set a bid opening at 10:30 a.m. on May 23, 2017 for gravel crushing.

Lead Mechanic Darren Saner reviewed the landfill loader repair costs.

11:20 a.m. The meeting was adjourned.

ATTEST:

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Aurora Heard, County Coordinator

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Glenn Kluis, Chairman of the Board