

DRAFT PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
June 5, 2018, 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Glenn Kluis, Lori Gunnink, James Jens, Gerald Magnus, and David Thiner. Also present Ronda Radke, Human Resources Generalist. Excused Absence: Travis Smith, County Attorney.

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

Consent Agenda

1. Approve minutes from May 22, 2018

It was moved by Gunnink seconded by Kluis and passed to approve consent agenda item number 1 with corrections.

It was moved by Gunnink, seconded by Thiner and passed to approve the License Center to be closed on June 13, 2018 for in-house training and to advertise the closing.

A motion was duly made by Magnus, seconded by Thiner and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated 4/8/2018 with fund totals as follows and warrants numbered 156049 through 156131:

County Revenue Fund	53,334.92
County Road & Bridge Fund	62,882.07
Self Insurance	3,643.02
Sunrise Terrace	4,693.53
Total	124,553.54

The County Board discussed the auditor warrants.

A motion was made by Thiner and seconded by Magnus to approve the report of the Ditch Committee of the Judicial Ditch 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 cost 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. The motion passed with a roll call vote as follows:

- David Thiner: Yes
- Lori Gunnink: Abstain

- James Jens: Yes
- Gerald Magnus: Yes
- Glenn Kluis: Abstain

<u>Contractor</u>	<u>Ditch #</u>	<u>Amount</u>	<u>Petition #</u>	<u>Inspector</u>
<u>Rinke Noonan</u>				
	JD 3	<u>2,311.50</u>		JD 3 Appeal
	Subtotal	<u>2,311.50</u>		
	Total for All Ditch Bills	<u>2,311.50</u>		

Commissioner Kluis and Gunnink did not vote as they are not on the JD 3 Committee. Motion carried 3 to 0.

A motion was made by Gunnink, 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>Inspector</u>	Commissioner District
<u>Johnson Ditching, Inc.</u>					
	CD 47	495.50	2017-061	ok'd by Howard on 5-25-18	2-Gunnink
	JD 14	<u>494.22</u>	2017-065	ok'd by Howard on 5-25-18	2-Gunnink
	Subtotal	<u>989.72</u>			
<u>Ryan West Excavating, Inc.</u>					
	CD 67	<u>1,726.20</u>	2018-007	ok'd by Howard on 5/18/18	3-Magnus
	Subtotal	<u>1,726.20</u>			
	Total for All Ditch Bills	<u>2,715.92</u>			

CD 76A Petition for Impounding and Partial Abandonment

STATE OF MINNESOTA
Before the
MURRAY COUNTY BOARD OF COMMISSIONERS
SITTING AS THE DRAINAGE AUTHORITY FOR
COUNTY DITCH NO. 76A

In the Matter of:

**the Petition to Impound, Reroute,
Divert and Partially Abandon Murray
County Ditch No. 76A**

FINDINGS AND ORDER

At a public meeting conducted by the Murray County Board of Commissioners, sitting as the drainage authority for County Ditch No. 76A, on June 5, 2018, Commissioner David Thiner moved, seconded by Commissioner Lori Gunnink for adoption of the following Findings and Order:

Findings:

1. On May 23, 2018, Petitioners Eran Sandquist, Todd Luke and Gary Johnson filed a Petition to Impound, Reroute, and Divert and Partially Abandon drainage system waters on County Ditch No. 76A for beneficial use.
2. The beneficial use described by the Petitioners is for the purpose of making more adequate use of water resources by construction of an earthen embankment, water control structure, tile removal and re-alignment and surface out letting of existing tile lines.
3. Pursuant to Minn. Stat. § 103E.227, subd. 2(b), a bond was not required to be filed with the Petition;
4. The Petition conforms with the requirements of Minn. Stat. § 103E.227.
5. Pursuant to Minn. Stat. § 103E.227, subd. 3(a), the Petition requires appointment of an engineer to investigate the effect of the proposed installation and file a report of findings with the drainage authority.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for County Ditch No. 76A, hereby orders as follows:

- A. The Petition is hereby accepted.
- B. Bolton & Menk Engineer, Bill Helget is hereby appointed to investigate the effect of the proposed installation and file a report of findings with the County Auditor.
- C. The engineer shall subscribe to an oath to faithfully perform the assigned duties in the best manner possible and file a bond with the auditor. The bond shall be subject

to approval by the auditor. The bond shall be conditioned to pay any person or the drainage authority for damages and injuries resulting from negligence of the engineer while the engineer is acting in the proceedings or construction and provide that the engineer will diligently and honestly perform the engineer's duties.

- D. Upon the filing of the report of findings, the Auditor shall promptly notify the Board which will, in consultation with the Auditor, set a time, by order, not more than 30 days after the date of the order, for a hearing on the engineer's report of findings. The Auditor/Secretary shall provide notice of the public hearing on the report of findings in accordance with Minn. Stat. § 103E.261.

After discussion, the Board Chair called the question. Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

James Jens, Chairperson

Dated: June 5, 2018

* * * * *

I, Heidi E. Winter, County Auditor-Treasurer, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the County Ditch No. 76A drainage authority and find the same to be a true and correct transcript thereof. The above order was filed with me, Murray County Auditor-Treasurer, on June 5, 2018.

IN TESTIMONY WHEREOF, I hereunto set my hand this
5th day of June, 2018.

Heidi E. Winter
Murray County Auditor-Treasurer

It was moved by Thiner, seconded by Kluis and passed to approve Pay Application No. 1 to Horizon Roofing, Inc. for the Courts Building Roof Project in the amount \$139,073.10.

Southern Prairie Health Purchasing Alliance Presentation by Dr. Norris Anderson

Dennis Goebel, MCMC CEO, gave a monthly update.

It was moved by Thiner, seconded by Magnus and passed to approve the quote of \$7,794.96 (\$1.56/map) from Mustang Signs & Graphics to update and print 5,000 Murray County Highway Maps. With the cost to be split between Economic Development and Highway Departments and Aquatic invasive species.

A motion was made by Magnus, 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 #2018-027 (JD 14, Leeds Twp. Sec. 8, District 2 – Gunnink)
- Petition #2018-031 (JD 28, Holly Twp. Sec. 6, District 1 – Jens)
- Petition #2018-032 (CD 34, Ellsborough Twp. Sec. 26, District 2 – Gunnink)
- Petition #2018-033 (JD 20A, Shetek Twp. Sec. 3, District -1 – Jens)
- Petition #2018-034 (JD 10, Slayton Twp. Sec. 1, District 3 – Magnus)
- Petition #2018-035 (CD 68, Slayton Twp. Sec. 16, District 3 – Magnus)

- Petition #2018-036 (CD 68, Slayton Twp. Sec. 16, District 3 – Magnus)

Discussion on the AMC District 8 Meeting on June 7, 2018 at 8:00 a.m. in Windom MN.

Jean Christoffels gave an update on the 2018 MACPZA Spring Training

Glenn Kluis gave an update on the Sunrise Terrace

10:00 a.m. Open Forum/Public Comment – Chris Lewis was present and commented regarding the investigation that took place on Sheriff Steven Telkamp and Carol Gregory was present and commented regarding the investigation report on Sheriff Steven Telkamp.

The Commissioners gave their committee reports for the period of May 20, 2018 to June 2, 2018.

James Jens reported on Hospital Finance (partial per diem claimed) – May 21, Commissioner Board Meeting (partial per diem claimed) – May 22, Hospital Board Meeting (partial per diem claimed) – May 23, Hospital Foundation (no per diem claimed) – May 29.

Gerald Magnus reported on Hospital Finance/PACE Energy Board – May 21, Hospital Board Meeting (partial per diem claimed) – May 23, Hospital Executive (partial per diem claimed) – June 1.

Lori Gunnink reported on Commissioner Board Meeting (partial per diem claimed) – May 22, Fair Board Meeting (partial per diem claimed) – May 24, Margie Anderson Retirement (no per diem claimed) – May 25, Washington D.C. (no per diem claimed) – May 30, Washington D.C. White House Brief (no per diem claimed) – May 31.

David Thiner reported on Southwest Minnesota Opportunity Council (partial per diem claimed) – May 21, Commissioner Board Meeting (partial per diem claimed) – May 22, ECB/RAC Radio Board (partial per diem claimed) – May 23, Coroner Meeting (partial per diem claimed) – May 25.

Glenn Kluis reported Commissioner Board Meeting (partial per diem claimed) – May 22, ACE Meeting/Fair Board (partial per diem claimed) – May 24, Margie Anderson Retirement (no per diem claimed) – May 25.

It was moved by Kluis, seconded by Gunnink, and passed to approve the Commissioner Vouchers for the period of May 20, 2018 to June 2, 2018.

At 10:15 a.m. the Board recessed the regular meeting and opened a Public Hearing to take comments on the Repeal of and Adoption of the Murray County Parks Ordinance.

Justin Hoffman was available to field questions relating to the proposed repeal and update. No residents of the public were present.

The floor was opened to verbal and written comments from the public. No written or verbal comment was received.

The Board Chair closed the public hearing at 10:25 a.m. and reconvened in regular session.

It was moved by Thiner, seconded by Gunnink and passed to approve the Murray County Parks Ordinance changes.

It was moved by Gunnink, seconded by Kluis and passed the approval to have Ankrum Construction remove the concrete in front of the overhead doors of the commercial building and repour to eliminate trip hazards and handicap accessibility. The north side concrete pad is approximately 6x25 and the south side pad is approximately 6x19.

Commissioner Lori Gunnink read:

I would like to make the following on behalf of the board to be placed in the minutes:

The county has decided to change the title of the 'Interim Director of Sheriff Operations' to 'Governmental Operations Consultant'. This title is more in line with duties assigned to an independent contractor.

As we have stated from the beginning of this process, Sheriff Telkamp will retain every law enforcement right he has as an elected Sheriff. Since Sheriff Telkamp is not an employee, we took as much action as we could, under due process of the law, to protect our employees from workplace harassment.

With the help of Mark Nipp, as an independent consultant, we hope to build relationships within the county and address concerns of hostile conduct and retaliation. He will work with the staff and other intergovernmental agencies to improve professional expectations throughout the workplace environment.

We admit that this process has been a learning curve; however, we will continue to do our due diligence to work with local and state agencies to uphold our legal obligations to protect our employees.

It was moved by Gunnink, seconded by Thiner and passed and approved the title change from Interim Director of Sheriff Operations to Governmental Operations Consultant for Mark Nipp.

It was moved by Magnus, seconded by Gunnink and passed to approve the Moulton Township Bridge Replacement Agreement and authorize the Board Chair to sign the agreement.

Commissioner Lori Gunnink gave an update on the National Associations of Counties (NACO) conference she attended in Washington, DC.

It was moved by Magus, seconded by Gunnink and passed to approve hiring Korin Koch as a Seasonal Museum Assistant with a start date of June 8, 2018 at \$10.10 per hour.

It was moved by Gunnink, seconded by Jens and passed to approve hiring Jessica Laleman as a full-time Assessor Technician with a start date of June 18, 2018 at grade 5, step 1(A).

It was moved by Gunnink, seconded by Kluis and passed to approve the proposed change in assessing fees for 2019 assessment as follows:

City of Avoca – 2018 charges = \$1,172 for 153 parcels
2019 proposed = \$2,076 for 173 parcels (increase in parcels is for new plat on Avoca Lake)

City of Chandler – 2018 charges = \$1,547 for 183 parcels
2019 proposed = \$2,280 for 190 parcels – updated parcel count

City of Currie – 2018 charges = \$1,852 for 225 parcels
2019 proposed = \$2,796 for 233 parcels – updated parcel count

City of Hadley – 2018 charges = \$555 for 65 parcels
2019 proposed = \$1,044 for 87 parcels (increase in parcels is for new plat on Hadley Lake)

City of Iona – 2018 charges = \$1,131 for 135 parcels
2019 proposed = \$1,620 for 135 parcels

Discussion on the Medical Death Investigator position

It was moved by Thiner, seconded by Gunnink and passed and approved the Medical Death Investigator job description.

It was moved by Thiner, seconded by Gunnink to advertise for the Medical Death Investigator internally and externally for seven days

It was moved by Magnus, seconded by Gunnink and passed to approve to accept the Medical Death Investigator position at a grade 11. The motion passed with a roll call vote as follows:

Dave Thiner – No
Lori Gunnink – Yes
Gerald Magnus – Yes
Glenn Kluis – Yes
James Jens - Yes

It was moved by Thiner, seconded by Kluis and passed to approve the 2017 State of Minnesota Federal Boating Safety Supplemental Equipment Grant for \$23,710.00 and authorizing the Board Chair and County Auditor/Treasurer to sign grant.

It was moved by Thiner, seconded by Gunnink and passed to approve adding Sunrise Terrace water softener purchase.

It was moved by Thiner, seconded by Magnus and passed to approve the purchase of an upgraded water softener system with the newest Culligan commercial units at \$8,795.00.

Commissioner Glenn Kluis stated that a party approached him to ask if Murray County would be interested in purchasing a house and land with the assess value of 45,000.00, to turn it into a parking lot. Table this until next month and Commissioner Kluis will do some research.

11:38 p.m. The meeting was adjourned.

ATTEST:

Ronda Radke, Human Resources Generalist

James Jens, Chairman of the Board