

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
May 21, 2019 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present: Commissioners Lori Gunnink, James Jens, James Kluis, David Thiner, and Dennis Welgraven. Also present were County Attorney Travis Smith and Economic Development Director Amy Rucker.

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 Welgraven, seconded by Kluis, and passed to approve the minutes from the May 7, 2019 meeting.

COMMISSIONER WARRANTS

A motion was duly made by Jens, seconded by Welgraven and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated May 21, 2019, with fund totals as follows and warrants numbered 159059 through 159161 and ET 60547 (MCIT):

County Revenue Fund	127,726.93
County Road & Bridge Fund	113,849.08
EDA	53.00
Ditch	251.00
Self Insurance	2,346.86
Sunrise Terrace	1,966.96
SAWS	172.00
Lime Creek Service District	<u>6,045.00</u>
Total	<u>252,410.83</u>

AUDITOR WARRANTS

Auditor Warrants were reviewed.

JUDICIAL DITCH 3 APPEAL/REMAND HEARING

A motion was made by Jens and seconded by Welgraven 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
- Dennis Welgraven: Yes
- James Kluis: Abstain

I + S Group (Engineers)

JD 3	\$	3,745.00	JD 3 Improvement/Appeal - Engineering
Subtotal	\$	3,745.00	

Rinke Noonan

JD 3	\$	476.00	JD 3 Improvement - Legal
Subtotal	\$	476.00	

Total JD 3 Ditch Bills 4,221.00

ALL OTHER DITCH BILLS

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

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Vendor **Ditch #** **Amount**

Murray County Treasurer

CD 22 Repair	17.48	Public Hearing Mailing Costs for 5-21-19 Hearing to	
		Appoint Engineer	
Subtotal	17.48		

Riley Land Improvement LLC

JD 17	1,800.00	2018-056 - Lake	Approved by Travis	4-
		Elsie Flooding	Radke on 5-6-2019	Kluis
Subtotal	1,800.00			

Rinke Noonan Law Firm

Admin	200.00	Monthly Retainer Agreement	
CD 11	137.50	State Hwy 30 Emergency Repairs - Legal	
CD 22	247.50	CD 22 <u>REPAIR</u> - Legal	
CD 22	275.00	CD 22 <u>IMPROVEMENT</u> - Legal	
Subtotal	860.00		

Total for Other Ditch Bills **2,677.48**

Total for ALL Ditch Bills **6,898.48** (Judicial Ditch No. 3 and other bills)

REDWOOD-COTTONWOOD RIVERS CONTROL AREA (RCRCA) JOINT POWERS AGREEMENT (JPA)

It was moved by Welgraven, seconded by Gunnink, and passed to approve a joint powers agreement (JPA) with the Redwood-Cottonwood Rivers Control Area (RCRCA) for the period of July 1, 2019 to June 30, 2021, further moving to authorize Commissioner James Jens to sign the JPA on behalf of the county.

APPROVAL OF AMENDMENT TO LEASE FOR MOTORCYCLE TESTING AREA

It was moved by Gunnink, seconded by Kluis, and passed to approve Amendment No. 3 to Lease No. PS0072 with the Department of Public Safety, Driver and Vehicle Services for a 30' x 70' portion of county parking lot #1 adjacent to the County Historical Museum for the effective period July 1, 2019 through June 30, 2022, further moving to authorize the Board Chair and Auditor-Treasurer to sign the amendment on behalf of the County.

GAMBLING PERMIT APPLICATION – LAKE SHETEK LODGE

Commissioner Jens offered the following resolution and moved for its adoption:

RESOLUTION NO. 2019-05-21-01
A Resolution Approving a Gambling Premises Permit Application LG214

WHEREAS, Booster Currie Town and Country is applying for a premise permit application for gambling at Lake Shetek Lodge, and

WHEREAS, Lake Shetek Lodge is located at 21 Valhalla Drive in Mason Township, outside any city limits, and

WHEREAS, The Minnesota Gambling Control Board requires that the County must pass a resolution specifically approving or denying this application.

NOW, THEREFORE BE IT RESOLVED, That the Murray County Board of Commissioners hereby approves the application by Booster Currie Town and Country for legalized gambling on the premises of Lake Shetek Lodge in Mason Township.

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

DITCH INSPECTION REPORT

A motion was made by Jens, seconded by Kluis, 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 2019-023 (CD 11, Leeds Twp. Sec. 12, District 2 – Gunnink)
- Petition 2019-024 (JD 14, Leeds Twp. Sec. 18, District 2 – Gunnink)
- Petition 2019-026 (CD 11, Leeds Twp. Sec. 14, District 2 – Gunnink)
- Petition 2019-027 (JD 23, Dovray Twp. Sec. 2, District 1 – Jens)
- Petition 2019-028 (CD 43, Belfast Twp. Sec. 16, District 1 – Jens)
- Petition 2019-029 (CD 34, Ellsborough Twp. Sec. 25, District 2 – Gunnink)
- Petition 2019-030 (CD 82, Mason Twp. Sec. 22, District 1 – Jens)
- Petition 2019-032 (CD 65, Holly Twp. Sec. 33, District 1 – Jens)
- Petition 2019-033 (CD 82, Mason Twp. Sec. 22, District 1 – Jens)
- Petition 2019-034 (CD 41, Lowville Twp. Sec. 27, District 2 – Gunnink)
- Petition 2019-035 (JD 14, Leeds Twp. Sec. 18, District 2 – Gunnink)
- Petition 2019-039 (JD 03, Holly Twp. Sec. 36, District 1 – Jens)
- Petition 2019-045 (CD 76A, Mason Twp. Sec. 21, District 1 – Jens)

It was further moved to table the following petitions pending additional information:

- Petition 2019-036 (JD 14, Chanarambie Twp. Sec. 14, District 2 – Gunnink)
- Petition 2019-037 (CD 87, Lake Sarah Twp. Sec. 36, District 2 – Gunnink)

SEASONAL EMPLOYEES

It was moved by Gunnink, seconded by Welgraven, and passed to hire the following seasonal employees at the Seasonal Grade Rate:

- Andrew Coulter – Seasonal Parks Maintenance Worker with a start date of June 3, 2019 at grade 1, step 1.
- Howard Konkol – Seasonal Parks Maintenance Worker with a start date of May 22, 2019 at grade 1, step 1.
- Daniel Blankenship – Seasonal Surveying Technician with a start date of May 28, 2019 at grade 2, step 1.

ADVOCATE, CONNECT, EDUCATE (ACE) ANNUAL UPDATE

Michelle Baumhoefner, Executive Director of ACE of Southwest Minnesota, and Joyce Wiekeraad, Murray County Aging & Volunteer Services Coordinator, updated the Board on ACE's activities.

HERON LAKE WATERSHED DISTRICT UPDATE

Jan Voit, Heron Lake Watershed District Administrator, presented the District's annual update to the Board.

OPEN FORUM / PUBLIC COMMENT

Phil Gervais was present for Open Forum to tell the Board about an issue with a county tile through which tree roots have grown. The location of the tile was unknown when the trees were planted. The trees were required by a Conditional Use Permit and have also contributed to damage of his hog barns due to snow load.

2019-2020 RADIO MARKETING PROPOSAL

It was moved by Gunnink, seconded by Welgraven, and passed to accept the 2019-2020 Radio Marketing Proposal of \$3,132 annually for advertising on KJOE 106.1 and KISD 98.7, further moving to authorize Heidi E. Winter to sign the agreement on behalf of the county.

COMMITTEE REPORTS

The Commissioners gave their committee reports for the period of May 5, 2019 to May 18, 2019.

James Jens reported on Supporting Hands Nurse Family Partnership (Partial Per Diem Claimed) – May 6, Commissioner Board Meeting (Partial Per Diem Claimed) – May 7, Shetek Area Water & Sewer (Partial Per Diem Claimed) – May 13, Historical Society (Partial Per Diem Claimed) – May 14, Southwest Health & Human Services (No Per Diem Claimed) – May 15.

Lori Gunnink reported on Hazard Mitigation Meeting (No Per Diem Claimed) – May 6, Commissioner Board Meeting and Nobles Coop Electric Annual Meeting (Partial Per Diem Claimed) – May 7, Plum Creek Library Search Meeting (Partial Per Diem Claimed) – May 8, Plum Creek Library Search Meeting and Committee Interviews (Partial Per Diem Claimed) – May 16.

Dennis Welgraven reported on Stoderl Slough and Hazard Mitigation (Partial Per Diem Claimed) – May 6, Commissioner Board Meeting and Nobles Coop Electric Annual Meeting - May 7, Chandler Dam (Partial Per Diem Claimed) – May 8, SRDC Meeting (No Per Diem Claimed) – May 10, Southwest Health & Human Services (No Per Diem Claimed) – May 15.

Jim Kluis reported on Meeting with Jim Gerber (No Per Diem Claimed) – May 10, Meeting with Kevin Nelson (No Per Diem Claimed) – May 11, ACE Meeting and Ditch Inspection – May 13.

David Thiner reported on Hazard Mitigation Meeting (Partial Per Diem Claimed) – May 6, Commissioner Board Meeting and Personnel Meeting (Partial Per Diem Claimed) – May 7, Chandler Dam (Partial Per Diem Claimed) – May 8.

It was moved by Jens, seconded by Welgraven, and passed to approve the Commissioner Vouchers for the period of May 5, 2019 to May 18, 2019.

CONSTRUCTION CONTRACT WITH TRAFFIC MARKING SERVICE, INC.

It was moved by Welgraven, seconded by Kluis, and passed to approve the construction contract with Traffic Marking Service, Inc. for CP 01-19 (pavement striping) further authorizing the Board Chair, Auditor / Treasurer, and County Attorney to sign the contract.

SET BID OPENING DATE FOR LIME LAKE TOWNSHIP BRIDGE REPLACEMENT

It was moved by Kluis, seconded by Welgraven, and passed to set a bid opening date of June 18, 2019 at 10:30 a.m. for the Lime Lake Township bridge replacement project, SAP 51-599-107.

ROAD AND BRIDGE FUND ANNUAL REPORT

Murray County Engineer Randy Groves and Accounting Technician Lisa Saner presented the Murray County Highway Department Annual Report.

FEDERAL EMERGENCY MANAGEMENT ASSOCIATION (FEMA) AND FEDERAL HIGHWAY ADMINISTRATION (FHWA) REIMBURSEMENTS

The Murray County Highway Department is awaiting reimbursement for approximately \$1,500,000 of repairs made.

RENT PAID FOR HIGHWAY DEPARTMENT EQUIPMENT

Murray County Engineer Randy Groves gave a summary of annual rent paid to store highway department equipment.

FEDERAL EMERGENCY MANAGEMENT ASSOCIATION (FEMA) REIMBURSEMENT

Chief Deputy Heath Landsman is awaiting approximately \$247,000 in FEMA reimbursements.

SURPLUS PROPERTY

It was moved by Jens, seconded by Gunnink, and passed to declare the Aeroflex 3920 Digital Radio Test Set and Accessories as surplus property and to authorize its sale on eBay with a starting price of \$20,000.

2019 BOAT AND WATER GRANT

It was moved by Welgraven, seconded by Gunnink, and passed to accept the 2019 State Boat and Water Safety Grant, further authorizing the Sheriff or designee, the County Board Chair, and the County Auditor / Treasurer to sign the grant agreement.

2019 BUFFALO RIDGE DRUG TASK FORCE (BRDTF) PER CAPITA APPROPRIATION

The Board agreed by consensus to wait until the May 28, 2019 to consider this payment request.

T-1 LINE TO TRACY TOWER

It was moved by Thiner and seconded by Kluis to replace the microwave equipment on the Slayton MnDOT tower and contract with Frontier for a T-1 line from Slayton to Tracy. The motion passed with a roll call vote as follows:

- James Jens: Yes
- Lori Gunnink: No
- James Kluis: Yes
- Dennis Welgraven: Yes
- David Thiner: Yes

MISSOURI RIVER WATERSHED COMPREHENSIVE WATERSHED MANAGEMENT PLAN

It was moved by Welgraven, seconded by Gunnink, and passed to approve submission of the Missouri River Watershed Comprehensive Watershed Management Plan (2019 – 2028) to the Minnesota Board of Water & Soil Resources (BWSR).

The meeting was recessed until 1:00 p.m.

The meeting was called back to order at 1:00 p.m.

HEARING TO APPOINT ENGINEER FOR COUNTY DITCH 22 REPAIR

The public hearing was opened at 1:00 p.m. by Chair David Thiner. Several members of the public were present.

The Drainage Authority Attorney reviewed the purpose of the hearing.

Auditor-Treasurer Heidi Winter reported that the notice requirements were met.

It was moved by Jens, seconded by Kluis and passed to accept a repair petition for County Ditch No. 22 (SE ¼ 13-Shetek Township), further moving to appoint Bill Helget of Bolton & Menk to examine the County Ditch 22 drainage system and issue a repair report.

The hearing was adjourned at 1:19 p.m.

The meeting was adjourned at 1:19 p.m.

ATTEST:

Amy Rucker, Economic Development Director

David Thiner, Chairman of the Board