

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
September 3, 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 Administrator Thomas Burke, County Attorney Travis Smith, and Economic Development Director Amy Rucker.

The Chairman asked if there were any additions to the agenda. One was added.

It was moved by Gunnink, seconded by Welgraven, and passed to approve the agenda as modified.

No conflicts of interest were identified.

Consent Agenda:

1. Approve August 27, 2019 Meeting Minutes
2. Approve Commissioner Warrants
3. Approve Ditch Bills
4. Approve Pay Application 3 – Sundquist Park Bathroom
5. Approve JD 3 Improvement – Pay Application No. 3

It was moved by Jens, seconded by Welgraven, and passed to remove item numbers 2 and 5 from the consent agenda.

It was moved by Welgraven, seconded by Kluis, and unanimously passed to approve consent agenda item numbers 1, 3, and 4.

OPEN FORUM / PUBLIC COMMENT

There was no one present for Open Forum.

NEW EMERGENCY MANAGEMENT/SAFETY DIRECTOR

Emergency Management/Safety Director Justin Koch was introduced to the Board. His first day was August 18.

COMMISSIONER WARRANTS

A motion was duly made by Welgraven, seconded by Jens, and carried that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated September 3, 2019 with fund totals as follows and warrants numbered 159987 through 160038:

County Revenue Fund/General	61,083.65
County Road & Bridge Fund	19,379.29
Self-Insurance	625.00
Sunrise Terrace	<u>2,983.93</u>
Total	<u>84,071.87</u>

JD 3 IMPROVEMENT – PAY APPLICATION NO. 3

It was moved by Jens and seconded by Thiner to approve Pay Application No. 3 to Cooreman Contracting, Inc. for the Judicial Ditch No. 3 Improvement Project in the amount \$215,052.24. 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

DITCH INSPECTION REPORT

A motion was made by Gunnink, seconded by Jens 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 2019-090 (JD 02, Lime Lake Twp. Sec. 22, District 3–Welgraven)
- Petition 2019-091 (CD 59, Murray Twp. Sec. 15, District 1–Jens)

CONDITIONAL USE PERMIT AMENDMENT: CUP# 1295/LAST CHANCE AUTO PARTS
Jean Christoffels met with the County Board regarding Conditional Use Permit Amendment #1295 for Last Chance Auto Parts (Heath Mitchell was also present) regarding amending Conditional Use Permit #1295 by amending Special Condition #13 to increase the number of allowed vehicles on the property, and to remove Special Condition #12 in the NE1/4 NE1/4, Section 28, Belfast Township. The County Board reviewed the Murray County Planning Commission recommendations and findings from the August 22, 2019 meeting.

It was moved by Gunnink, seconded by Welgraven, and passed to approve the Planning Commission's recommendation and findings to amend Conditional Use Permit #1295 for Last Chance Auto Parts (NE1/4 NE1/4, Section 28, Belfast Township) by keeping Special Condition #12 as previously written, and to increase the number of vehicles stored outside not to exceed 250. The County Board also requested that Mr. Mitchell provide the County with a copy of his October inspection report from the Minnesota Department of Public Safety, and provide a written report to the Murray County Environmental Services Office within three months per Special Condition #12 and then by March 1 of each subsequent year.

DRIVER'S LICENSE AGENT APPOINTMENT

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

RESOLUTION 2019-09-03-01
MURRAY COUNTY DRIVER'S LICENSE AGENT APPOINTMENT

WHEREAS, Minnesota Statute § 171.061, 373.32 to 373.38 and MN Rules Chapter 7404 requires the appointment of a Driver's License Agent.

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners hereby appoints Annette Seivert as the Driver's License Agent for Murray County.

BE IT FURTHER RESOLVED that this appointment be retroactive back to January 14, 2018.

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

PURCHASE REQUEST – FAIRGROUNDS FENCE

It was moved by Kluis, seconded by Gunnink, and passed to approve the purchase of materials for a privacy fence for the racetrack at the fairgrounds at a cost of \$7,754.88.

2020 U.S. CENSUS

Jim Accurso of the U.S. Census Bureau advised the Board of 2020 Census operations and partnerships with local governments.

BOAT INSPECTION AT LAKE SARAH

It was moved by Gunnink, seconded by Jens, and passed to allow the Minnesota Department of Natural Resources to inspect boats at fishing tournament on Lake Sarah on September 21, further moving to authorize County Administrator Thomas Burke to sign an agreement allowing the inspection.

BROADBAND PROJECT GRANT

It was moved by Jens, seconded by Gunnink, and passed to approve committing a \$200,000 grant from the Murray County Economic Development Revolving Loan Fund to Lismore Coop Telephone Company's Murray County Broadband Project, further moving that the \$25,000 budgeted appropriation for 2019 be transferred to the loan fund.

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

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

PUBLIC HEARING FOR REDETERMINATION OF BENEFITS FOR COUNTY DITCH 63, COUNTY DITCH 67, COUNTY DITCH 75, AND JUDICIAL DITCH 10

Pursuant to notice given, the Drainage Authority Board for Murray County Ditches. 63, 67, 75 and Judicial Ditch 10 met to receive the Viewer's Reports and consider approval of a Redetermination of Benefits on said drainage systems. The following members present: Murray County Commissioners – James Jens, Lori Gunnink, Dennis Welgraven, Jim Kluis and David Thiner. Also present were Heidi E. Winter, Murray County Auditor-Treasurer; Travis Radke, Murray County Drainage Inspector; Travis Smith, Murray County Attorney; John Schueller, Kevin Vickerman and Luke Olson, Ditch Viewers; 2 Landowners.

The public hearing was opened at 1:00 p.m. by Chair David Thiner.

County Attorney Travis Smith reviewed the purpose of the hearing.

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

The Ditch Viewers gave an overview of the Viewer's Reports.

Landowner Marcia Wee indicated she was in support of the Redetermination of Benefits and she was there to learn more about the process.

COUNTY DITCH NO. 63

The Ditch Viewers presented the Viewer's Report for the Redetermination of Benefits for County Ditch 63, reporting 815.43 benefited acres, potential benefits of \$1,060,024.65 and net benefits of \$464,474.58.

The floor was opened for public comment. No comments were given. The floor was closed to public comment.

It was moved by Jens, seconded by Gunnink, and passed to accept the Ditch Viewers Report for the Redetermination of Benefits for County Ditch 63 because the following items have been met:

- The Viewer's Report is made and other proceedings completed under M.S. §103E
- The report is complete and correct
- The damages and benefits have been properly determined with 815.43 benefited acres and net benefits of \$464,474.58.

COUNTY DITCH NO. 67

The Ditch Viewers presented the Viewer's Report for the Redetermination of Benefits for County Ditch 67, reporting 1,864.54 benefited acres, potential benefits of \$2,533,856.24 and net benefits of \$975,922.94.

The floor was opened for public comment. Landowner David Schwartz asked for clarification on how these proceedings will affect future assessments. The viewers showed him where to look on the report to find what percent of future ditch levies he would pay. The floor was closed to public comment.

It was moved by Welgraven, seconded by Kluis, and passed to accept the Ditch Viewers Report for the Redetermination of Benefits for County Ditch 67 because the following items have been met:

- The Viewer's Report is made and other proceedings completed under M.S. §103E
- The report is complete and correct
- The damages and benefits have been properly determined with 1,864.54 benefited acres and net benefits of \$975,922.94.

The meeting was recessed at 1:56 p.m. and reconvened at 2:00 p.m.

COUNTY DITCH NO. 75

The Ditch Viewers presented the Viewer's Report for the Redetermination of Benefits for County Ditch 75, reporting 1,483.55 benefited acres, potential benefits of \$1,485,511.39 and net benefits of \$802,381.88.

The floor was opened for public comment. No comments were given. The floor was closed to public comment.

It was moved by Gunnink, seconded by Jens, and passed to accept the Ditch Viewers Report for the Redetermination of Benefits for County Ditch 75 because the following items have been met:

- The Viewer's Report is made and other proceedings completed under M.S. §103E
- The report is complete and correct
- The damages and benefits have been properly determined with 1,483.55 benefited acres and net benefits of \$802,381.88.

JUDICIAL DITCH NO. 10

The Ditch Viewers presented the Viewer's Report for the Redetermination of Benefits for Judicial Ditch 10, reporting 5,802.50 benefited acres, potential benefits of \$8,932,718.85 and net benefits of \$4,800,669.72.

The floor was opened for public comment. No comments were given. The floor was closed to public comment.

It was moved by Welgraven, seconded by Gunnink, and passed to accept the Ditch Viewers Report for the Redetermination of Benefits for Judicial Ditch 10 because the following items have been met:

- The Viewer's Report is made and other proceedings completed under M.S. §103E
- The report is complete and correct
- The damages and benefits have been properly determined with 5,802.50 benefited acres and net benefits of \$4,800,669.72

The meeting was adjourned at 2:28 p.m.

ATTEST:

Amy Rucker, Economic Development Director

David Thiner, Chairman of the Board