

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS  
MURRAY COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
December 14, 2021 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present in person: Commissioners; Dennis Welgraven, James Kluis, Molly Malone, and David Thiner. Commissioner Lori Gunnink, via Zoom, with no voting privileges. Also present in person was County Administrator, Thomas Burke, and General Assistant, Samantha McClellan. County Attorney, Travis Smith, via Zoom.

The Chairman asked if there were any additions to the agenda, several were added.

It was moved by Malone, seconded by Kluis and passed to approve the agenda with additions.

No conflicts of interest were identified.

It was moved by Malone, seconded by Kluis and passed to approve the minutes from the November 30, 2021.

OPEN FORUM / PUBLIC COMMENT

Slayton Driftbreakers Snowmobile members Kevin Wynina, and Craig Bangasser, were present for open forum to discuss how the snowmobile club receives funding for trail maintenance and grooming, and to further discuss the grant-in-aid program. The club does not receive local taxpayer dollars, the grant-in-aid program provides funding to local governments and snowmobile clubs to groom and maintain Minnesota's trail system. The DNR has been delegated the responsibility of administering the funds appropriated by the legislature for the GIA program. Snowmobile trails are open to the public.

COMMISSIONER WARRANTS

It was moved by Malone, seconded by Welgraven and passed that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated December 14, 2021 with fund totals as follows and warrants numbered 166911 through 166970:

County Revenue Fund	72,488.30
County Road & Bridge Fund	125,326.10
Ditch	381.39
Self-Insurance	2,425.00
Sunrise Terrace	1,339.79
Due to State	11.27
SAWS	159.00
Total	202,130.85

DITCH BILLS

No ditch bill received by the time of meeting.

APPROVAL OF 2022 TOBACCO LICENSE

It was moved by Malone, seconded by Kluis and passed to approve the 2022 tobacco license renewals in accordance to Murray County Tobacco Ordinance No. 98-10-6-1 for the following establishments:

- M004 - Carlson’s Corner - DeAnn and Jeff Carlson
- M005 - Ruppert Oil - Michael D. Ruppert
- M003 - Pete’s Corner - Joyce Bloemendaal
- M006 - Chandler Coop (dba Cenex Convenience Store - Lake Wilson) – Jeff Einck
- M009 - Avoca Municipal Liquor Store – City of Avoca
- M014 – Jaroskelly, LLC – Trails Edge General Store
- M015 – DG Retail, LLC (dba Dollar General Store #20579)

Further moving that approval is contingent upon receipt of all required paperwork in the Auditor-Treasurer’s Office.

TIMING OF 2022 LEVY & FINAL BUDGET APPROVAL

Auditor/Treasurer, Heidi Winter, conversed with the board to define the documents that will be in the levy and final budget packet. Heidi suggested at the December 20, 2021, board meeting that the levy be set first, and then approval of the budget. The board gave consensus to only have the levy worksheet and budget summary in the hard copies of the board packet, with the packet in its entirety being posted on the Murray County website. Heidi advised the board that the Levy needs to be set within 5 business days of December 20, 2021, and the budget needs to be set by December 31, 2021.

SET 2022 DITCH LEVIES

Commissioner Thiner presented the following resolution and moved for its adoption.

RESOLUTION 2021-12-14-01  
 A RESOLUTION SETTING THE 2022 LEVIES FOR COUNTY AND  
 JUDICIAL DRAINAGE SYSTEMS IN MURRAY COUNTY

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners, acting as the Drainage Authority in Murray County set levies to be collected as special assessments in 2022 for County and Judicial Drainage Systems located within Murray County as follows:

2022 Proposed County Drainage Levies - Murray County, MN

County Ditch 2	2,830.49	County Ditch 66	1,089.85
County Ditch 4	2,297.49	County Ditch 67	3,107.82
County Ditch 6	1,414.72	County Ditch 68	2,262.80
County Ditch 7	4,484.82	County Ditch 72	2,344.80
County Ditch 11	18,636.03	County Ditch 73	1,368.75
County Ditch 13	2,717.45	County Ditch 74	1,154.65

County Ditch 14	2,296.09	County Ditch 75	1,899.04
County Ditch 19	2,529.03	County Ditch 76 A	2,299.72
County Ditch 20	21,015.49	County Ditch 76 A 18	3,424.52
County Ditch 21	1,309.84	County Ditch 77	3,276.07
County Ditch 22	3,184.03	County Ditch 79	3,162.82
County Ditch 23	1,054.64	County Ditch 80	1,043.94
County Ditch 24	13,205.06	County Ditch 81	1,183.94
County Ditch 26	1,966.67	County Ditch 82	2,728.22
County Ditch 27	2,201.29	County Ditch 86	2,188.72
County Ditch 28	1,061.12	County Ditch 87	2,127.88
County Ditch 29	6,791.72	County Ditch 89	1,092.11
County Ditch 30	1,426.43	Judicial Ditch 2 S	2,515.76
County Ditch 32	1,146.49	Judicial Ditch 2 N	3,740.83
County Ditch 34	2,655.43	Judicial Ditch 3	8,624.48
County Ditch 35	1,956.41	Judicial Ditch 5	2,243.67
County Ditch 37	1,427.29	Judicial Ditch 6	272.08
County Ditch 38	1,168.14	Judicial Ditch 7	7,748.94
County Ditch 40	1,660.08	Judicial Ditch 8	400.02
County Ditch 41	1,358.55	Judicial Ditch 9	752.08
County Ditch 42	1,445.87	Judicial Ditch 9 A	2,379.38
County Ditch 43 M	2,249.11	Judicial Ditch 10	23,746.51
County Ditch 43 A	5,943.72	Judicial Ditch 11	452.48
County Ditch 43 B	1,323.96	Judicial Ditch 12	3,015.36
County Ditch 44	1,410.45	Judicial Ditch 13	1,742.95
County Ditch 45	1,159.97	Judicial Ditch 14	4,883.74
County Ditch 46	3,735.49	Judicial Ditch 15	1,476.09
County Ditch 47	1,079.71	Judicial Ditch 16	1,155.20
County Ditch 48	518.30	Judicial Ditch 17	2,905.69
County Ditch 49	1,198.30	Judicial Ditch 17 A	1,219.48
County Ditch 50	1,229.84	Judicial Ditch 18	2,756.91
County Ditch 51	1,273.52	Judicial Ditch 18 A	1,954.16
County Ditch 52	1,132.10	Judicial Ditch 19	3,131.73
County Ditch 53	2,271.24	Judicial Ditch 20	1,564.55
County Ditch 54	1,161.97	Judicial Ditch 20A	2,858.11
County Ditch 55	2,065.35	Judicial Ditch 21	2,401.17
County Ditch 56	1,316.34	Judicial Ditch 22	683.95
County Ditch 57	1,764.53	Judicial Ditch 23	1,437.51
County Ditch 58	2,190.40	Judicial Ditch 24	1,080.56
County Ditch 59	2,058.31	Judicial Ditch 26	4,961.53
County Ditch 60	1,041.95	Judicial Ditch 27	1,091.83
County Ditch 61	3,683.41	Judicial Ditch 28	3,330.72
County Ditch 62	1,106.75	Judicial Ditch 38 A	1,134.11
County Ditch 63	1,494.98		

County Ditch 64	225.00	TOTAL	282,927.34
County Ditch 65	3,634.74		

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

**MURRAY COUNTY MEDICAL CENTER HOSPITAL UPDATE**

Luke Schryvers, Murray County Medical Center Chief Executive Officer, gave an update on staffing, finances, conducting a facility condition assessment, and COVID-19. He also noted that the Epic medical record system will go live on March 1, 2022.

It was moved by Kluis, seconded by Malone and passed to approved authorizing County Administrator, Thomas Burke, to sign the USDA Grant Application.

Commissioner Lori Gunnink left the meeting.

**HVACR SPECIALIST – SHERIFF’S OFFICE**

Chris Rosival was unable to attend the meeting.

**MICROSOFT LICENSING RENEWAL**

It was moved by Malone, seconded by Thiner and passed to authorize the renewal of the Microsoft Licensing.

**REGIONAL TRAILS STRATEGIC PLANNING**

Commissioner Thiner presented the following resolution and moved for its adoption.

RESOLUTION 2021-12-14-02  
 RESOLUTION IN SUPPORT OF THE SOUTHWEST REGIONAL TRAILS PLAN  
 AND EDA TRAVEL, TOURISM, AND OUTDOOR RECREATION PROGRAM GRANT  
 APPLICATION

WHEREAS, Murray County, located in Southwest Minnesota, has demonstrated by its actions that it is committed to improving the economic conditions and quality of life of its people; and

WHEREAS, the Coronavirus Pandemic has adversely affected the travel, tourism, and outdoor recreation sectors of Southwest Minnesota’s economy, and in addition, the inherent volatility of the agricultural markets, and limited availability of capital for investment have adversely affected our economy, and the outmigration and aging of the region’s population is resulting in the decrease of available labor force; and

WHEREAS, the current economic distress requires continuous and direct attention and action to assist area residents in their pursuit of economic independence, and to assist

area businesses, parks and trails, and travel/tourism destinations towards successful competition in the tourism climate of today; and

WHEREAS, the Southwest Regional Development Commission has been instrumental in the development and implementation of economic development strategies and the dissemination of information that provides assistance to industry and business in the achievement of these objectives; and

WHEREAS, the Southwest Regional Development Commission and Murray County are committed to accelerating the recovery of the travel, tourism, and outdoor recreation economy in Southwest Minnesota; and

WHEREAS, the successful completion of a regional trails plan will expand and enhance the region's opportunities to strengthen our travel, tourism, and outdoor recreation economy, and will advance the region's equitable access to a connected trail system that can successfully compete in the outdoor recreation climate of today;

THEREFORE, BE IT RESOLVED, that Murray County supports the efforts of the Southwest Regional Development Commission to develop and implement a Regional Trails Plan to advance recovery efforts in the tourism sector and improve equitable access to a regional trails system by applying to the U.S. Department of Commerce, Economic Development Administration under the Travel, Tourism, and Outdoor Recreation Program; and that Murray County has committed matching funds in the amount of \$3,000, none of which are federal funds, and that these funds are committed and in place.

The foregoing resolution was duly seconded by Malone and thereupon being put to a vote all members voted for its adoption.

#### PAY APPLICATION NO. 2 – DINEHART HOUSE

It was moved by Thiner, seconded by Malone and passed to approve Pay Application No. 2 to A&M Construction, Inc. for \$88,068.94 towards the Dinehart Holt House Restoration Grant Project.

#### RETURN UNUSED GRANT FUNDS

It was moved by Malone, seconded by Kluis and passed to approve authorize an expenditure of \$3,000 to the Minnesota Historical Society for unused grant funds from the Murray County Museum's Security Assessment Grant.

#### OPIOID SETTLEMENT

It was moved by Thiner, seconded by Malone and passed to approve Resolution 2021-12-14-03 and authorize County Administrator, Thomas Burke to sign the Minnesota opioids state-subdivision memorandum of agreement, and declaring support for an amendment to minn. Stat. §256.043, subd. 3(d).

RESOLUTION 2021-12-14-03

A RESOLUTION AUTHORIZING COUNTY STAFF TO EXECUTE ALL NECESSARY DOCUMENTS TO ENSURE COUNTY PARTICIPATION IN THE MULTISTATE SETTLEMENTS RELATING TO OPIOID DISTRIBUTORS AND MANUFACTURERS, AND IN THE MINNESOTA OPIOIDS STATE-SUBDIVISION MEMORANDUM OF AGREEMENT, AND DECLARING SUPPORT FOR AN AMENDMENT TO MINN. STAT. § 256.043, SUBD. 3(D).

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against manufacturers and distributors of prescription opioids related to the opioid crisis; and

WHEREAS, the Minnesota Attorney General has signed on to multistate settlement agreements with several pharmaceutical distributors, McKesson, Cardinal Health, and AmerisourceBergen, as well as opioid manufacturer Johnson & Johnson, but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

WHEREAS, there is a deadline of January 2, 2022, for a sufficient threshold of Minnesota cities and counties to sign on to the above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, representatives of Minnesota's local governments, the Office of the Attorney General, and the State of Minnesota have reached agreement on the intrastate allocation of these settlement funds between the State, and the counties and cities, as well as the permissible uses of these funds, which will be memorialized in the Minnesota Opioids State-Subdivision Memorandum of Agreement (the "State-Subdivision Agreement"); and

WHEREAS, during negotiations of the State-Subdivision Agreement, representatives of Minnesota's counties prioritized flexibility in how local governments may use settlement funds for opioids abatement and remediation and advocated for counties to receive settlement allocations directly rather than using the distribution mechanism detailed in Minn. Stat. § 256.043, subd. 3(d); and

WHEREAS, in order to achieve the goals of flexibility and direct allocation, Minn. Stat. § 256.043, subd. 3(d), must be amended to remove a provision which would otherwise appropriate approximately 50 percent of the state's settlement allocation to county social service agencies for statutorily-prescribed use(s); and

WHEREAS, the State-Subdivision Agreement creates an opportunity for local governments and the State to work collaboratively on a unified vision to deliver a robust abatement and remediation plan to address the opioid crisis in Minnesota; now, therefore,

BE IT RESOLVED, Murray County supports and agrees to the State-Subdivision Agreement; and

BE IT FURTHER RESOLVED, Murray County supports and opts in to the multistate settlements with McKesson, Cardinal Health, and AmerisourceBergen, and with Johnson & Johnson; and

BE IT FURTHER RESOLVED, Murray County authorizes county staff to execute all necessary documents to ensure County participation in the multistate settlements, including the

Participation Agreement and accompanying Release, and in the State-Subdivision Agreement;  
and

BE IT FURTHER RESOLVED, Murray County, supports the amending of Minn. Stat. § 256.043, subd. 3(d), to remove a provision which would appropriate approximately 50 percent of the state's settlement allocation to county social service agencies via the existing Opiate Epidemic Response Fund distribution mechanism for statutorily-prescribed use(s).

#### 2022 MEETING DATES

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

RESOLUTION 2021-12-14-04  
2022 MEETING DATES

WHEREAS, the Murray County Board of Commissioners hold regular meetings;  
NOW THEREFORE BE IT RESOLVED, that the following dates in 2022 are set for regular meetings of the Murray County Board of Commissioners beginning at 8:30 a.m.:

January	4 <sup>th</sup>	18 <sup>th</sup>	25 <sup>th</sup>
February	1 <sup>st</sup>	15 <sup>th</sup>	22 <sup>nd</sup>
March	1 <sup>st</sup>	15 <sup>th</sup>	22 <sup>nd</sup>
April	5 <sup>th</sup>	19 <sup>th</sup>	26 <sup>th</sup>
May	3 <sup>rd</sup>	17 <sup>th</sup>	24 <sup>th</sup>
June	7 <sup>th</sup>	21 <sup>st</sup>	28 <sup>th</sup>
July	5 <sup>th</sup>	19 <sup>th</sup>	26 <sup>th</sup>
August	2 <sup>nd</sup>	16 <sup>th</sup>	23 <sup>rd</sup>
September	6 <sup>th</sup>	20 <sup>th</sup>	27 <sup>th</sup>
October	4 <sup>th</sup>	18 <sup>th</sup>	25 <sup>th</sup>
November	1 <sup>st</sup>	15 <sup>th</sup>	22 <sup>nd</sup>
December	13 <sup>th</sup>	20 <sup>th</sup>	none

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

#### ASHWILL COMPANIES CONSTRUCTION CONTRACT

It was moved by Thiner, seconded by Kluis and passed to approve construction contract with Ashwill Companies for projects SAP 051-607-012 & SAP 051-625-013.

#### CONSIDERATION OF THE 2022 ELECTED SALARIES

County Administrator, Thomas Burke, led a discussion regarding consistency in the raises of elected officials. Elected salaries are falling behind in comparison with non-elected who are receiving a step, and a cola, every year. Thomas asked the board to consider a 5% raise for the elected officials. The average salary of elected salaries in the surrounding counties was also discussed. It was decided to have the elected give their year-end-reviews, and the board would set the 2022 Elected Salaries at the December 21, 2021, board meeting.

- Auditor/Treasurer, Heidi Winter gave a year-end review for the County Auditor Treasurer Office.
- County Recorder, Karen Brown gave a year-end review for the County Recorder Office.
- County Attorney, Travis Smith gave a year-end review for the County Attorney Office.
- Sheriff, Steven Telkamp was not present.

#### SHERIFF’S OFFICE HVAC DISCUSSION

County Administrator, Thomas Burke, asked for direction as to how he should proceed with Dunham regarding the Sheriff’s HVAC system, and if the board intends to move forward with the motion that was made at the November 16, 2021, meeting. There was discussion regarding other options. No board action was taken, the discussion will continue at the December 20, 2021, meeting.

#### COMMITTEE REPORTS

Lori Gunnink: 11/16 Regular Board Meeting, 11/19 Casey Jones Trail/Regional Development Commission Trails Committee.

James Kluis: 11/16 Regular Board Meeting, 11/23 Regular Board Meeting.

Molly Malone: 11/15 Hospital Board Meeting, 11/16 Regular Board Meeting, 11/18 Economic Development Authority, 11/19 Casey Jones Trail/Regional Development Commission Trails Committee, Early Childhood Initiative, 12/22 Southwest Solid Waste Commission, Rural Minnesota Energy Board, Regular Board Meeting.

David Thiner: 11/15 Southwest Minnesota Opportunity Council, 11/16 Regular Board Meeting, 11/17 Southwest Health and Human Services, Southwest Regional Radio Board/Public Safety Board, 11/18 Planning Commission, 11/23 Regular Board Meeting.

Dennis Welgraven: 11/16 Regular Board Meeting, 11/17 Southwest Health and Human Services, Extension Committee, 11/18 Economic Development Authority, Southwest Regional Development Commission, 11/22 Southwest Solid Waste Commission, Rural Minnesota Energy Board, Western Mental Health, 11/23 Regular Board Meeting.

It was moved by Malone, seconded by Kluis and passed to approve committee reports for the period of November 14 – 27, 2021.

The meeting adjourned at 10:37 a.m.

ATTEST:

\_\_\_\_\_  
Samantha McClellan, General Assistant

\_\_\_\_\_  
Dennis Welgraven, Chairman of the Board