

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
March 21, 2023 8:30 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present in person commissioners; Molly Malone, Lori Gunnink, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, General Assistant Emily Ackerman, County Administrator Carolyn McDonald, County Attorney Travis Smith via Zoom.

The Board Chair asked if there were any additions to the agenda, no additions were added,

It was moved by Gunnink, seconded by Meier to approve the agenda without additions. Motion Passed.

No Conflicts of interest were identified.

It was moved by Welgraven, seconded by Gunnink to approve the minutes from the March 7, 2023, meeting without changes. Motion Passed.

COMMISSIONER WARRANTS

It was moved by Thiner, seconded by Meier and passed that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated March 21, 2023 with fund totals as follows and warrants numbered 170678 through 170751:

County Revenue Fund	63,928.36
County Road & Bridge Fund	73,793.87
EDA	262.88
Ditch	243.04
Self-Insurance	874.70
Sunrise Terrace	1,743.45
SAWS	159.00
Total	141,005.30

DITCH BILLS

It was moved by Gunnink, seconded by Malone to approve the report of bills for payment of the Murray County Drainage Authority as follows:

See Next Page for Listing

Bolton & Menk

21-667-6260	CD 20	985.50	#2021-029	Ok'd by T. Radke or 3/6/2023	Gunr
21-829-6260	JD 14	2,299.50	#2022-001 & 2022-002	ok'd by T. Radke on	Gunr
	Subtotal	3,285.00			

Rinke Noonan

21-868-6260	Admin	200.00	01/23 and 02/23	Monthly	
21-659-6260	CD 11	380.00	CD 11/State Hwy 30	- Legal	
21-663-6260	Joint CD 14	6,852.50	Redetermination of Benefits-Group		
	Subtotal	7,432.50			

Total Ditch Bills 10,717.50

3.2 MALT LIQUOR LICENSE RENEWALS AND ROLLING HILLS GOLF CLUB COMBINATION LIQUOR LICENSE

Annual approval is required for all 3.2 Malt Liquor Licenses and one partial year On/Off/Sunday Liquor Licenses issued by Murray County. This action approves the 2023 renewals for all 3.2 Malt Liquor License and one Liquor License. See establishment names in motion below.

It was moved by Thiner, seconded by Welgraven to approve the following county 3.2 Beer and Liquor License Renewals for 2023, contingent upon receipt of all paperwork received in the Office of the Auditor-Treasurer:

- o Liquor “On Sale” and Sunday “On Sale” License No. 3 to Rolling Hills Golf Club, Inc
- o 3.2 Malt Liquor “On and Off Sale” License No. 6 to Rolling Hills Golf Club, Inc
- o 3.2 Malt Liquor “Off Sale” License No. 9 to Chandler Cooperative d/b/a Cenex Convenience Store
- o 3.2 Malt Liquor “On and Off Sale” License No. 4 to Michael Ruppert d/b/a/ Ruppert Oil Company
- o 3.2 Malt Liquor “On and Off Sale” License No. 5 to Joyce Bloemendaal d/b/a Pete’s Corner

JUDICIAL DITCH NO. 6 ORDER – AMENDED VIEWERS REPORT

The Drainage Authority held a hearing on March 14, 2023 to approve an amended viewers report for the improvement to Judicial Ditch No. 6. All public comment was received and business relating to the hearing completed. That hearing was recessed until March 21, 2023 at 8:45 a.m. to approve and adopt the findings of fact and order.

It was moved by Gunnink Seconded by Malone To approve findings of fact and order adopting the amended viewers report for the improvement to Judicial Ditch No. 6. Motion Passed.

OPIOID SETTLEMENT RESOLUTION

The attached Opioid Settlement Resolution is presented so the Board can authorize County staff to complete the federal settlement documents prior to April 18th. Settlement dollars will continue to be split 75% to local governments and 25% to the State. Payments will be made directly to local governments.

Settlement funds can be used for a very broad set of activities much like the previous opioid settlement agreements. Every MN county will be asked to approve the national settlement agreements and the Minnesota Memorandum of Agreement (MOA) via DocuSign. The MOA is written to apply to all future opioid settlements so the County will hopefully not need to sign future versions.

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

RESOLUTION NO. 2023-03-21-01

Resolution Authorizing Murray County staff to Execute All Necessary Documents to Ensure Murray County Participation in the Multistate Settlements Relating to Opioid Supply Chain Participants, and in the Minnesota Opioids State-Subdivision Memorandum of Agreement.

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against opioid supply chain participants related to the opioid crisis; and

WHEREAS, the Minnesota Attorney General has signed on to multistate settlement agreements with several opioid supply chain participants, 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 April, 18 2023, 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, as amended (the "State-Subdivision Agreement"); 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 all future multistate settlement agreements with opioid supply chain participants; and

BE IT FURTHER RESOLVED, MURRAY COUNTY authorizes County staff to execute all necessary documents to ensure MURRAY COUNTY participation in the multistate settlement agreements, including the Participation Agreement and accompanying Release, and in the State-Subdivision Agreement.

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

COMMITTEE REPORTS FOR MARCH 5 – 18, 2023

Malone: 3/7 Commissioner Meeting & Parks Building Tour, 3/8 Invenergy Purple Skies Wind Farm Meeting, 3/13 AMC Legislative Update, 3/14 CD 22 & JD 6 Hearing & Township Meetings.

Gunnink: 3/7 Commissioner Meeting, 3/14 CD 22 & JD 6 Hearing & Township Meetings, 3/15 Plum Creek Library Meeting.

Meier: None

Welgraven: 3/7 Commissioner Meeting & Parks Building Tour, 3/8 Invenergy Purple Skies Wind Farm Meeting, 3/9 SRDC Budget and Personnel, 3/14 CD 22 & JD 6 Hearing & Township Meetings, 3/15 SWHHS Finance Committee & SWHHS Regular Board & Extension Committee.

Thiner: 3/7 Commissioner Meeting & Parks Building Tour, 3/14 CD 22 & JD 6 Hearing & Township Meetings, 3/15 Policy Committee Meeting & City of Fulda Trails Meeting.

DES MOINES RIER WATERSHED RESOLUTION TO ADOPT & IMPLEMENT

Murray County adopted a resolution of support for development of the Des Moines River Watershed Comprehensive Watershed Management Plan (Plan) through the One Watershed, One Plan (1WIP) program on September 17, 2019, and a Memorandum of Agreement (MOA) on April 7, 2020. Thirteen governmental entities helped write the Des Moines River Watershed Comprehensive Watershed Management Plan with Houston Engineering (HEI) according to the guidelines set up by the Minnesota Board of Water and Soil Resources (BWSR). Prior to submission of Plan for BWSR approval, a public hearing was held, and no public comments were received.

On March 13, 2023, BWSR's Southern Region committee approved submission of the Plan to the BWSR Executive Board, with approval anticipated on March 22, 2023. Before implementation can begin, each of the government entities within the Watershed, must pass the resolution to adopt and implement the Des Moines River Watershed Comprehensive Watershed Management Plan (2023-2032).

County Board approval to adopt and implement the Des Moines River Watershed Comprehensive Watershed Management Plan (2023-2032) contingent on BWSR Executive Board approval.

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

RESOLUTION 2023-03-21-02

**RESOLUTION TO ADOPT AND IMPLEMENT THE DES MOINES RIVER WATERSHED
COMPREHENSIVE WATERSHED MANAGEMENT PLAN**

WHEREAS, Murray County (County) entered into a planning agreement Memorandum of Agreement to develop the Des Moines River Watershed Comprehensive Watershed Management Plan (Plan); and

WHEREAS, The County has been an active participant in the development of the Des Moines River Watershed Comprehensive Watershed Management Plan; and

WHEREAS, The County recommended the Des Moines River Watershed Policy Committee submit the Des Moines River Watershed Comprehensive Watershed Management Plan for State approval on 18th of October, 2022; and

WHEREAS, the Board of Water and Soil Resources (BWSR) Southern Region Committee met on 13th of March, 2023 and decided to recommend the Plan be approved according to Minnesota Statutes 1038.101, subd. 14 at the BWSR Board meeting on 22nd of March, 2023; and

WHEREAS, Minnesota Statutes §103B.101, subd. 14 allows a local water management plan developed or amended, approved and adopted, according to chapter 103B to be replaced with a comprehensive watershed management plan but only to the geographic area of the Plan and consistent with the One Watershed, One Plan suggested boundary map.

NOW; THEREFORE, BE IT RESOLVED, contingent on BWSR approval, Murray County hereby adopts and will begin implementation of the Plan for the area of Murray County identified within the Plan and serve as a substitute for the county local water management plan as per 103B for the duration of the State approved Plan.

BE IT FURTHER RESOLVED, after the adoption of the Plan, the County shall amend existing water and related land resources plans and official controls as necessary to conform them to the Des Moines River Watershed Comprehensive Watershed Management Plan.

BE IT FURTHER RESOLVED, after the adoption of the Des Moines River Watershed Comprehensive Watershed Management Plan or amendments to the Plan, Murray County shall notify local units of government within the County. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the County for review as per Minnesota Statutes, Section 103B.321.

BE IT FURTHER RESOLVED, that within 180 days, the County shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Des Moines River Watershed Comprehensive Watershed Management Plan. Murray County shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Plan.

BE IT FURTHER RESOLVED, if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the County's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

BE IT FURTHER RESOLVED, after receiving the recommendations of the County, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or

official controls. The new or revised plans and official controls must be submitted to the County for review and recommendations.

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

BID OPENING FOR OVERLAY PROJECTS SAP 051-608-020, SAP 051-617-012, SAP 051-622-009, SAP 051-642-020, SAP 051-645-008 and SAP 064-605-034

Central Specialties	6325 Co Road 87 S, Alexandria, MN 56308	\$3,696,088.85
Duininck, INC.	408 6th St, Prinsburg, MN 56281	\$3,519,715.18
Knife River Corp -North Central	4784 Shadow Wood Dr NE, Sauk Rapids, MN 56379	\$3,356,785.05
Minnesota Paving & Materials	1905 3 rd Ave, Mankato, MN 56001	\$4,030,898.20

County Engineer Randy Groves returned to his office to tabulate the bids for accuracy.

BID OPENING FOR PROJECT CP 01-23

Sir Lines a Lot LLC	7175 Cahill Rd, Edina, MN 55439	\$115,882.80
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County Engineer Randy Groves returned to his office to tabulate the bids for accuracy.

APPROVE BID FOR PROJECT CP 01-23

It was moved by Gunnink, seconded by Welgraven to accept and award maintenance striping project CP 01-23 to Sir Lines a Lot LLC for their bid amount of \$115,882.80. Motion Passed.

PROPOSAL REQUEST #10 EXCAVATION QUOTE FOR HWY 30 RIGHT OF WAY

The attached PR#10 is a change order to connect property tile to the intake in the right of way on HWY 30. The price submitted will be included as a placeholder for board action as the quoted amount may change if an updated price is received that reduces this amount.

However, as PR#10 exceeds \$50,000 change order limit for department level approval, this is submitted for Board approval.

The driving factor in this one is that when the county applied for the MNDOT ROW Permit, they requested a change in the design as a condition of the permit. County Engineer Groves lobbied to avoid but was not successful.

It was moved by Thiner, seconded by Gunnink to approve PR#10 Excavation Quote of \$84,040.00 as a placeholder quote until costs are finalized. Motion Passed.

2023 SEASONAL EMPLOYEE WAGE SCALE

2022 Seasonal Wage Scale

Grade	A(1)	B(2)	C(3)	D(4)	E(5)
1	\$13.50	\$14.00	\$14.50	\$15.00	\$15.50
2	\$15.50	\$16.00	\$16.50	\$17.00	\$17.50

2023 Seasonal Wage Scale

Grade	A(1)	B(2)	C(3)	D(4)	E(5)
1	\$13.75	\$14.25	\$14.75	\$15.25	\$15.75
2	\$15.75	\$16.25	\$16.75	\$17.25	\$17.75

Grade 1 Parks Maintenance, Museum Assistant

Grade 2 Highway Surveying Tech

Suggested – increase by \$0.25

For 2023 we will have a seasonal employee returning for their 6th year, the wage scale only goes to five, request to add \$0.25 to the grade 1 step 5.

It was moved by Meier, seconded by Thiner to approve increasing the Seasonal Wage Scale by \$0.25 and kept on file in the Human Resources Office. Motion Passed.

It was moved by Thiner, seconded by Welgraven to add \$0.25 the grade 1 step 5 for Bryanne Bose for her sixth year returning to the Seasonal Museum Assistant position for 2023 by adding a step 6. Motion Passed.

IT INTERN JOB DESCRIPTION AND APPROVAL TO ADVERTISE FOR TEMPORARY POSITION

During the budget meetings a temporary IT Intern position was added to the budget for 2023 in the Information Technology budget. The job description has been developed, this position is a temporary/seasonal position and will be on the Seasonal Employee Wage Scale at grade 2S.

It was moved by Thiner, seconded by Malone to approve the IT Intern job description placing the position on the Seasonal Employee Wage Scale at 2S, and starting the recruitment process to fill the position with the change to the Assist Information Technology Supervisor from 75% to 95%. Motion Passed.

The meeting recessed at 9:30 a.m

The meeting came back into session at 9:35 a.m.

SHERIFF COMMAND STRUCTURE REQUEST

Sheriff Heath Landsman would like to make the following changes to the Sheriff's office Command Structure.

Dispatcher/Jailer to Jail Administrator grade 9.

Move a Deputy Sheriff to General Investigator, done by assignment rather than promotion. When employees are assigned, the higher pay is paid if the employee remains in the position and the employee will be considered working out of class. Should the employee wish to return to the position of Deputy Sheriff, pay would be lowered back to the Deputy Sheriff pay scale.

Hire and replace one Deputy Sheriff at starting of pay grade 11.

Note: All position changes will be posted internally so any qualified County employee may apply. Thus, the budget savings could be more than described depending on which Deputies apply for and get the General Investigator duties.

It was moved by Gunnink, seconded by Welgraven, to approve the new Jail Administrator job description. Motion Passed.

It was moved by Gunnink, seconded by Meier to advertise internally for a Jail Administrator, pay grade 9. Motion Passed.

It was moved by Thiner, seconded by Welgraven to assign a Deputy (pay grade 11) to General Investigator duties (pay grade 12) and consider such Deputy as working “out of class” as long as the assigned Deputy is conducting General Investigator duties. Motion Passed.

It was moved by Thiner, seconded by Meier to hire a Deputy at step 1 pay grade 11. Motion Passed.

ENTERPRISE LEASE DISCUSSION

Board is asked to consider Enterprise Fleet Management for cost savings to County vehicle fleet administration. Wong Nystrom from Enterprise Fleet Management provided a presentation on how the Enterprise Fleet Management program works.

It was determined to allow the departments to connect with Wong to start building vehicles and getting more information on the analysis.

AWARD BID OPENING FOR OVERLAY PROJECTS SAP 051-608-020, SAP 051-617-012, SAP 051-622-009, SAP 051-642-020, SAP 051-645-008 and SAP 064-605-034

It was moved by Welgraven, seconded by Meier, to accept and award overlay projects SAP 051-608-020, SAP 051-617-012, SAP 051-622-009, SAP 051-642-020, SAP 051-645-008 and SAP 064-605-034 to Knife River Corp for their bid amount of \$3,356,785.05. Motion Passed.

CLOSED SESSION

It was moved by Meier, seconded by Malone to move into closed session pursuant to Minn. Stat. 13D.05, subd. 2(b). Motion Passed.

It was moved by Gunnink, seconded by Malone to come out of closed session pursuant to Minn. Stat. 13D.05, subd. 2(b). Motion Passed.

It was moved by Gunnink, seconded by Meier to proceed as discussed in the closed session.

The meeting adjourned at 11:28 a.m.

ATTEST:

Carolyn McDonald, County Administrator

Molly Malone, Board Chair