

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
April 4, 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 Malone to approve the agenda without additions. Motion Passed.

No Conflicts of interest were identified.

It was moved by Welgraven, seconded by Thiner to approve the minutes from the March 28, 2023, meeting with changes. Motion Passed.

COMMISSIONER WARRANTS

It was moved by Thiner, seconded by Welgraven and passed that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated April 4, 2023 with fund totals as follows and warrants numbered 170794 through 170833:

| | |
|---------------------------|--------------|
| County Revenue Fund | \$109,428.93 |
| County Road & Bridge Fund | \$15,219.32 |
| EDA | \$30.00 |
| Ditch | \$30.00 |
| Sunrise Terrace | \$30.00 |
| Total | \$124,738.25 |

ACCEPT DONATION-LAND O LAKES FOUNDATION

Murray County received a donation from the Land O Lakes Foundation on behalf of the Murray County Ag Society.

It was moved by Thiner, seconded by Gunnink to accept a \$500 donation from the Land O Lakes Foundation to be used to offset expenditures for the Murray County Ag Society (receipt code 01-620-5760). Motion Passed.

HOSPITAL UPDATE

Luke Schryvers Murray County Medical Center CEO presented an update on quality, physician recruitment, growth, and financials.

COMMITTEE REPORTS FOR THE PERIOD OF MARCH 19 – APRIL 1, 2023

Malone: 3/20 Planning & Zoning, 3/21 Commissioner Meeting & Public hearing, 3/22 Hospital Board, 3/23 EDA, 3/27 AMC Legislative updates, 3/28 Commissioner Meeting, 3/30 Casey Jones Trail.

Gunnink: 3/21 Commissioner Meeting, 3/24 Southern Prairie Annual Meeting, 3/28 Commissioner Meeting, 3/29-3/31 AMC Leadership Institute in Nisswa.

Meier: 3/21 Commissioner Meeting, 3/22 Hospital Board, 3/28 Commissioner Meeting, 3/30 Fair Board Meeting.

Welgraven: 3/20 SRDC & Zoning, 3/21 Commissioner Meeting, 3/23 EDA, 3/27 Solid Waste, MN Rural Energy Board & Western Mental Health, 3/28 Commissioner Meeting, 3/29 Building Tour in Wells, MN, 3/30 Fair Board Meeting.

Thiner: 3/20 1Watershed1Plan Des Moines, MN DOT Fulda HWY's 62 & 59 & SMOC, 3/21 Commissioner Meeting, 3/23 Policy Committee Meeting & SMOC, 3/28 Commissioner Meeting & Parks, 3/29 Radio Board RAC/ECB.

HISTORICAL & CURRENT ASSESSMENT INFORMATION

County Assessor Chad Benda presented an update on the historical and current assessment information of the county from 2014 going forward as they are preparing for the local board of appeals meetings.

BID OPENING FOR HSIP PROJECT SP 051-070-005

| | | |
|-----------------------|---------------------------------|--------------|
| Sir Lines A-Lot LLC | 7175 Cahill Rd, Edina, MN 55439 | \$583,024.69 |
| Century Fence Company | PO BOX 727, Pewaukee, WI 53072 | \$622,910.77 |

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

APPROVE CONTRUCTION CONTRACT WITH KNIFE RIVER CORPORATION FOR PROJECTS SAP's 051-608-020, 051-617-012, 051-622-009, 051-642-020, 051-645-008, 064-605-034

It was moved by Welgraven, seconded by Malone to approve the construction contract with Knife River Corp. for overlay projects SAP's 051-608-020, 051-617-012, 051-622-009, 051-642-020, 051-645-008, 064-605-034. Motion Passed.

SUNRISE SHORES ADDITION PRELIMINARY PLAT

The Planning Commission conducted a public hearing for the preliminary plat for Sunrise Shores Addition on March 20, 2023 -postponed from March 16, 2023.

Approval of Planning Commission's recommendation, including one (1) special condition, on the following Preliminary Plat:

Sunrise Shores Addition Preliminary Plat

34.59 acres in N 1/2 NW 1/4, in Section 21, Lake Sarah Township, Murray County Application #357 Preliminary Plat for five (5) riparian lots and three (3) non-riparian lots in the Residential and Shoreland Overlay Districts on Lake Sarah, a General Development Lake.

It was moved by Gunnink, seconded by Welgraven to approve the Sunrise Shores Addition Preliminary Plat Application #357 for five (5) riparian lots and three (3) non-riparian lots in the Residential and Shore/and Overlay Districts on Lake Sarah, a General Development Lake for 34.59 acres in N 1/2 NWJ/4, in Section 21, Lake Sarah Township as recommended by the Planning Commission. Motion Passed.

BAVARIA SOLAR, LLC CONDITIONAL USE PERMIT (CUP)

A Public Hearing was held for the conditional use permit on May 19, 2022, by the Murray County Planning Commission, was approved by the Murray County Board of Commissioners (County Board) at their-meeting on June 7, 2022; the CUP was recorded on July 8, 2022.

Due to factors out of their control, United Renewable Energy is requesting a one-year extension of the CUP to construct and begin operation of the Solar Garden by June 7, 2024

Approve an extension of the Conditional Use Permit (CUP) for the following:

Bavaria Solar LLC CUP

NE1/4, Section 20, Leeds Township

CUP# 1400

Construct and operate a 1 MW Community Solar Garden in the Agriculture District.

It was moved by Thiner, seconded by Gunnink to approve a one-year extension of the Bavaria Solar LLC Conditional Use Permit #1400 in the NE 1/4, Section 20, Leeds Township for United Renewable Energy to commence with construction by June 7, 2024. Motion Passed.

PELICAN BAY ADDITION ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW)

The Planning Commission reviewed the EAW, including the submitted comments and responses, for the Pelican Bay Residential Development on March 20, 2023 - postponed from March 16, 2023. A copy of the full EAW was provided to the County Commissioners and can be found on the County's website.

Review and Approval of Planning Commission's recommendation to make a Negative Declaration on the EAW and adopt findings.

Project Title: Pelican Bay Addition Residential Development EAW

Project Proposer: Rupp Co. - Doug Rupp

Project Location: NEI/4, Section 24, Lake Sarah Township, Murray County

It was moved by Meier, seconded by Welgraven to accept the recommendation of the Murray County Planning Commission to make a Negative Declaration for an Environmental Impact Study for the Pelican Bay Addition Residential Development Environmental Assessment Worksheet (EAW) in the NEJ/4, Section 24, Lake Sarah Township, Murray County, and to adopt the attached Findings on the EAW for Pelican Bay Addition Residential Development. Motion Passed.

The meeting recessed at 9:33 a.m.

The meeting came back into session at 9:38 a.m.

HIGHWAY MAINTENANCE WORKER

Approve hiring Jaden Hennings as a regular full-time Highway Maintenance Worker effective April 11, 2023, at a labor grade 8, step 1 (\$22.56).

It was moved by Welgraven, seconded by Gunnink to approve hiring Jaden Hennings as a regular full-time Highway Maintenance Worker effective April 11, 2023, Per the recommendation of the Personnel Committee. Contingent upon satisfactory results of a criminal background check and a pre-employment drug test. Motion Passed.

OXYGEN LEVELS OF AREA LAKES DISCUSSION

Emergency Management Director Carl Nyquist has been in contact with the MPCA and DNR on what to do about the fish kill that the area lakes are currently experiencing due to the lack of oxygen in the lakes.

The MPCA has recommended a few things to assist with the disposal of the fish, composting with a carbon source, lightly spreading over a field while incorporating them into the soil to naturally deteriorate as fertilizer, the third option is to leave them lay. The DNR has advised the same and stated that the property owners were not responsible to clean up the fish.

Carl has also looked into to potentially using the disaster account for HSEM and FEMA putting the lakes in a state of disaster with a declaration, with this avenue there is a threshold of about 1\$8,000 that has to be met to qualify for state disaster relief, 75% paid by the state, 25% paid by the county.

It was asked what the homeowners on the lake are able to do as there were some mixed signals in 2010 about how to handle the fish kill on their shore lines, there was a member of the MN DNR from the Windom Fisheries office who was able to say that residents can clean their shorelines if they would like to, but it does become a solid waste issue. The MN DNR is also working with the MPCA on answers for citizens.

The Shetek Area Lakes Association President was present to express concerns on behalf of the group and homeowners around the lake.

It was discussed that the commissioners write a letter to the legislator's as they have a bill out there for fish kill on infectious fish, but that they need to include natural fish kill as well and provide more guidance.

If the HSEM gets back to Carl and says we can use the disaster funds, we would need to declare a state of emergency/disaster to open up the bidding processed and finding contractors to do the work of clean up, the County Administrator would be able to declare the emergency for 7 days if we hear back before the next board meeting.

The second option would be MPCA & DNR would have information to us by the next meeting for us to provide more direction on what to do.

Carl will continue to seek answers from the MPCA, DNR and HSEM and report back to the board when he has more information.

The meeting adjourned at 10:11 a.m.

ATTEST:

Carolyn McDonald, County Administrator

Molly Malone, Board Chair