

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
April 18, 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, the parks department moved to first on the agenda. The highway department had two items to add.

It was moved by Gunnink, seconded by Meier to approve the agenda with additions. Motion Passed.

No Conflicts of interest were identified.

It was moved by Meier, seconded by Welgraven to approve the minutes from the April 4, 2023, meeting with changes. Motion Passed.

SET BID OPENING DATE FOR LIME LAKE PICNIC SHELTER REPLACEMENT

The Parks department budgeted to replace a picnic shelter at 7 Mile Park in Fulda. The shelter is deteriorating and becoming unstable and needs to be replaced. Request to go out for bids now to get this completed before next winter. The parks department staff will demo the old structure and remove from the site.

It was moved by Gunnink, seconded by Welgraven to go out for bids to build a new picnic shelter at 7 Mile Park with a bid opening date of May 23, 2023 at 9:30 AM. Motion Passed.

2023 SEASONAL MUSEUM ASSISTANTS

Consider rehiring Bryanne Bose as a Seasonal Museum Assistant, effective May 9, 2023, grade 1S, step 6 (\$16.00) from the seasonal grade scale.

It was moved by Gunnink, seconded by Welgraven to approve hiring Bryanne Bose as a Seasonal Museum Assistant, effective May 9, 2023, grade 1S, step 6, contingent upon satisfactory results of a criminal background check and pre-employment drug test. Motion Passed.

Consider rehiring Nancy Moberg as a Seasonal Museum Assistant, effective May 27, 2023, grade 1S, step 3 (\$14.75) from the seasonal grade scale.

It was moved by Gunnink, seconded by Meier to approve hiring Nancy Moberg as a Seasonal Museum Assistant, effective May 27, 2023, grade 1S, step 3, Contingent upon satisfactory results of a criminal background check and pre-employment drug test. Motion Passed.

2023 SEASONAL PARKS MAINTENANCE WORKERS

Consider rehiring Howard Konkol as a Seasonal Parks Maintenance Worker, effective April 19, 2023, grade 1S, step 5 (\$15.75) from the seasonal grade scale.

It was moved by Welgraven, seconded by Gunnink to approve hiring Howard Konkol as a Seasonal Parks Maintenance Worker, effective April 19, 2023, grade 1S, step 5 from the seasonal grade scale , contingent upon satisfactory results of a criminal background check and pre-employment drug test. Motion Passed.

Consider rehiring Michael Carlson as a Seasonal Parks Maintenance Worker, effective May 8, 2023, grade 1S, step 3 (\$14.75) from the seasonal grade scale.

It was moved by Thiner, seconded by Meier to approve hiring Michael Carlson as a Seasonal Parks Maintenance Worker, effective April 19, 2023, grade 1S, step 3 from the seasonal grade scale, contingent upon satisfactory results of a criminal background check and pre-employment drug test. Motion Passed.

JAIL ADMINISTRATOR

Approve promoting Jannette Engels to regular full-time Jail Administrator effective April 19, 2023, at a labor grade 9, step 8 (\$29.49).

It was moved by Meier, seconded by Welgraven to approve promoting Jannette Engels to regular full-time Jail Administrator effective April 19, 2023. Per the recommendation of the Personnel Committee. Motion Passed.

DEPUTY SHERIFF WITH ASSIGNMENT INVESTIGATOR

Approve assigning a Deputy Sheriff Ryan Baker with investigator duties effective April 19, 2023, at a labor grade 12, step 6 (\$33.23).

It was moved by Welgraven, seconded by Gunnink to approve assigning Deputy Sheriff Ryan Baker with investigator duties effective April 19, 2023. If/when he is no longer assigned general investigator duties, he shall revert to the corresponding step on the lower deputy sheriff labor grade. Per the recommendation of the Personnel Committee. Motion Passed.

MUSEUM COORDINATOR

Jakob Etrheim, Museum Coordinator has given his resignation effective May 26, 2023. This position is a department head, the hiring process requires the County Board approval prior to beginning the recruitment process.

It was moved by Gunnink, seconded by Welgraven to approve the recruitment process for a 30-hour week Museum Coordinator. Motion Passed.

ACCEPT AND AWARD THE HSIP STRIPING PROJECT SP 051-070-005

It was moved by Gunnink, seconded by Thiner to accept and award HSIP striping project SP 051-070-005 to Sir Lines-A-Lot. Motion Passed.

APPROVE CONSTRUCTION CONTRACT FOR PROJECT CP 01-23

It was moved by Gunnink Seconded by Thiner to approve the construction contract with Sir Lines-A-Lot for maintenance striping project CP 01-23. Motion Passed.

ACCEPT MONDAY STUDY CLUB DONATION

The Sheriff's Office received a \$25.00 donation from the Monday Study Club. Sheriff Landsman spoke to their group on April 3,2023. All donations need to be formally accepted by the County Board.

It was moved by Welgraven, seconded by Gunnink to accept a \$25.00 donation from The Monday Study Club to be used for offsetting expenditures in the Sheriff's Office (receipt code 01-201-5760). Motion Passed.

UPFITTING FOR 2023 SQUAD

It was moved by Gunnink, seconded by Welgraven to approve the State Bid up-fitting quote from Emergency Automotive Technologies for \$13,458.80. Motion Passed.

NEW RADIO PURCHASE

Purchase a new radio for Squad on order from Up North GM, from West Central Communication for the state bid price of \$5987.52. Radio will be replacing a radio that is about 10 years old.

It was moved by Thiner Seconded by Meier To approve the purchase of a Motorola APX 6500 radio to be installed in the new squad, for a total purchase price of \$5,987.52. Motion Passed.

TASER PURCHASE

In 2019 we entered into a lease agreement with Axon Enterprises for 7 Taser 26P's. The lease to own term was 5 years. At the time of this purchase, we retained 5 of our older Taser X26's. The X26 Taser are no longer supported by Axon Enterprises and need to be replaced. Axon Enterprises no longer offers the lease to own program, X26p Tasers must be purchased outright. The only other option would be to turn all tasers in, pay off the current lease and get all new Taser 7's at a significantly higher cost.

It was moved by Meier, seconded by Welgraven to approve the purchase of 5 new Taser X26p's, 5 Battery packs, 5 Holsters, and 15 Standard X26P Cartridges, for a total purchase price of \$10,372.25. Motion Passed.

ENTERPRISE FLEET MANAGEMENT

The board is asked to consider Enterprise Fleet Management for Murray County vehicle fleet administration.

It was moved by Thiner, seconded by Welgraven to allow the Board Chair to sign the Sourcewell Enterprise Lease Letter and enter into agreement #030122 Sourcewell/Enterprise Fleet Management, Inc. for vehicle fleet administration, and approve the County Administrator to sign Master Equity Lease agreement and additional consignment and maintenance documents via DocuSign. Motion Passed.

The meeting recessed at 9:23 a.m.

The meeting came back into session at 9:29 a.m.

LAKE WILSON RENEWABLES, LLC CUP EXTENSION

A Public Hearing was held for the conditional use permit on June 16, 2022, by the Murray County Planning Commission, was approved by the Murray County Board of Commissioners (County Board) at their meeting on June 28, 2022; the CUP was recorded on July 19, 2022.

The reason for the request is related to equipment procurement delays due to supply chain issues and procurements delays of domestically produced solar panels. Lake Wilson Renewables is committed to sourcing as much American made content as possible for this project. As such, Lake Wilson Renewables is requesting a one-year extension of their CUP for construction to commence by June 28, 2024.

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

Lake Wilson Renewables LLC CUP

SW 1/4, Section 13, Chanarambie Township

CUP# 1402

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

It was moved by Gunnink, seconded by Welgraven to approve a one-year extension of the Lake Wilson Renewables LLC Conditional Use Permit #1402 in the SW1/4, Section 13, Chanarambie Township for construction of the 1 MW Community Solar Garden to commence by June 28, 2024. Motion Passed.

SPRONK BROS III REAL ESTATE LLLP CUP EXTENSION

A Public Hearing was held for the conditional use permit on April 21, 2022, by the Murray County Planning Commission, was approved by the Murray County Board of Commissioners (County Board) at their meeting on May 3, 2022; the CUP was recorded on May 23, 2022.

The primary factors that have caused the delay in construction are: 1) Construction costs have remained high for the entire period; 2) lending costs increased dramatically; and 3) tight labor markets have driven construction contractor supply to scarcity, and scheduling skilled builders continues to be problematic.

While they seek more favorable conditions to grow their farm and investment in Murray County, Spronk Bros III Real Estate LLLP respectfully request a 24-month extension, allowing them to commence with construction prior to May 3, 2025.

Approve an extension of the Conditional Use Permit (CUP) for the following:
Spronk Bros. III Real Estate LLLP CUP
12.67 acres in S1/2 NE 1/4, Section 32, Moulton Township
CUP# 1398

To expand an existing feedlot to 1,440 animal units in the Agriculture District.

It was moved by Welgraven, seconded by Gunnink to approve a two-year extension of the Spronk Bros. III Real Estate LLLP Conditional Use Permit #1398 for 12.67 acres in the S1/2 NE1/4, Section 32, Moulton Township for expansion of the existing feedlot to 1,440 animal units to commence by May 3,2025. Motion Passed.

COMMITTEE REPORTS FOR THE PERSON OF APRIL 2 – 15, 2023

Malone: 4/4 Commissioner Meeting, 4/5 EDA – No Per Diem, 4/10 SAWS, 4/11 City of Currie Taxation, 4/12 District 8 land use, Environmental task force.

Gunnink: 4/4 Commissioner Meeting, 4/6 RCRCA Area II Meeting, 4/10 SAWS, 4/11 Cottonwood Middle MN Watershed.

Meier: 4/4 Commissioner Meeting, 4/5 Policy Committee, 4/6 ECI, 4/13 Policy Committee.

Welgraven: 4/4 Commissioner Meeting, 4/5 EDA – No Per Diem, 4/7 Personnel Committee, 4/10 Missouri River & Moulton Township, 4/13 SRDC Board Meeting.

Thiner: 4/4 Commissioner Meeting, 4/13 Policy Committee.

The meeting recessed at 9:38 a.m.

The meeting came back into session at 10:00 a.m.

PUBLIC HEARING REDETERMINATION OF BENEFITS ON CD 76, CD (76A) 18, JD 14 and JD 15

At 10:00 a.m. pursuant to notice, the Drainage Authority Board for Murray County Ditch No. (76A)18, Murray County 76, Judicial Ditch 14 and Judicial Ditch 15 met with the following

members present: Commissioners Molly Malone, Lori Gunnink, Dennis Welgraven, Jackie Meier and David Thiner; Murray County Auditor/Treasurer, Heidi Winter; Drainage Inspector, Travis Radke; County Attorney, Travis Smith; Ditch Viewers John Schueller, Kevin Vickerman and Luke Olson; and Fourteen (14) landowner.

County Attorney Travis Smith reviewed the purpose of the hearing.

County Auditor-Treasurer, Heidi Winter reported that all notice requirements were met. Kevin Vickerman reviewed the standard methodology used to complete a redetermination of benefits on a drainage system. Redetermined acres and benefits were presented for each individual system as follows:

- County Ditch 76A included 1,794.47 total benefited acres and total net benefits of \$1,206,521.20 (landowners of \$1,156,681.96 and road authorities of \$49,839.24).
- County Ditch 76A18 included 3,190.43 acres total benefited acres and total net benefits of \$1,604,451.63 (landowners \$1,527,364.15 and road authorities of \$77,087.48).
- Judicial Ditch 15 included 2,347.81 total benefited acres and total net benefits of \$1,176,961.88 (landowners \$1,131,417.19 and road authorities of \$45,544.69).
- Judicial Ditch 14 Direct included 15,072.62 benefited acres and total net benefits of \$16,397,229.78 (landowners \$15,809,507.20 and road authorities of \$587,722.58).
- Judicial Ditch 14 Indirect included 8,113.88 benefited acres and total net benefits of \$402,129.02 (2.50% of maintenance). It was reported that the property owners reports included a 00% maintenance calculation, materially overstating property owners indirect benefit amounts and future maintenance costs. These property owners will need to be re-noticed with corrected reports.

The floor was opened to public comment:

- County Ditch 76A: Bill Johlfs (29-Mason Township) verified that adjustments from the April 6, 2023 landowner meeting were made to his parcel. He also expressed concern with a recent clean out of the drainage system. It was verified.
- County Ditch 76A18: Hub Sandmann (29-Mason Township) verified that adjustments from the April 6, 2023 landowner meetings were made. It was verified.
- Judicial Ditch 15: No public comment was given.
- Judicial Ditch 14: Roger Steinman (24-Chanarambie Township) verified that damages were added to his parcels after the April 6, 2023 landowner meeting. It was verified.

The floor was closed to public comment at 11:21 a.m.

The board determined that no board deliberation or board action would be taken on any of the drainage systems until they had time to review updated acres and benefits. This will also allow time to re-notice landowners with indirect benefits on Judicial Ditch 14 with the corrected benefit amounts.

It was moved by Dennis Welgraven, seconded by Dave Thiner and passed to recess the hearing and continue to a time certain of May 16, 2023 at 9:00 a.m.

The meeting recessed at 11:24 a.m.

The meeting came back into session at 11:31 a.m.

COMMISSIONER WARRANTS

It was moved by Welgraven, seconded by Gunnink and passed that all claims as presented were approved for payment. The Chairman was authorized to sign the Audit List dated April 18, 2023 with fund totals as follows and warrants numbered 170868 through 170945:

County Revenue Fund	107,060.29
County Road & Bridge Fund	72,260.48
EDA	313.02
Ditch	1,745.62
Self-Insurance	142.31
Sunrise Terrace	1,167.33
SAWS	192.18
Total	182,881.23

APPROVAL OF 2023 LIQUOR LICENSES

Board approval is required for all liquor licenses.

Fees are as follows:

On Sale:	\$1,000.00
Sunday Liquor:	\$200.00
Off Sale	\$150.00

It was moved by Gunnink, seconded by Meier to approve the following county Liquor Licenses for 2023, contingent upon receipt of all paperwork received in the Office of the Auditor-Treasurer:

- “On and Off Sale & Sunday Liquor” License No. 2 (Renewal) to VBS, LLC d/b/a Key Largo
- “On and Off Sale & Sunday Liquor” License No. 4 (Renewal) to Breezy Point Tavern, LLC d/b/a Breezy Point Tavern
- “On Sale & Sunday Liquor” License No. 5 (Renewal) to Painted Prairie Vineyard, LLC d/b/a Painted Prairie Vineyard
- “On and Off Sale & Sunday Liquor” License No. 7 (Renewal) to Valhalla Island Investments, Inc d/b/a Pelican Cove
- “On and Off Sale & Sunday Liquor” License No. 8 (Renewal) to Jaroskelly, LLC d/b/a Trails Edge
- “On and Off Sale & Sunday Liquor” License No. 9 (Renewal) to GPPS, LLC d/b/a Carlson Corner

PARKS SHOP PLUMBING PAY REQUEST #4 - FINAL

Project: Parks Shop - Plumbing
Vendor: Slayton Plumbing & Heating
Contract Approved on: March 22, 2022

1. Original Contract	\$ 32,300.00
2. Change Orders	\$ -
3. Contract Sum to Date	<u>\$ 32,300.00</u>
4. Total Completed and Stored to Date	\$ 32,300.00
5. Retainage - 5%	<u>\$ (1,615.00)</u>
6. Total earned less retainage	<u>\$ 30,685.00</u>
7. Previous Pay Applications	\$ 30,685.00
8. Balance (all retainage)	\$1,615.00
9. Liquidated Damages (6 days @ \$250)	<u>\$1,500.00</u>
10. Balance after Liquidated Damages	\$115.00

All punch list items are complete.
The final plumbing inspection is complete.
This pay application has been reviewed by Justin Hoffmann.
The Board needs to review liquidated damages.
All IC134 Contractor Affidavit documentation has been received.

It was moved by Gunnink, seconded by Welgraven to enforce liquidated damages of \$1,500 (6 days @ \$250 each) day) to Slayton Plumbing & Heating against the Parks Shop - Plumbing Contract, further moving to release \$115 of the retainage held as the final payment. (account code: 01-110-114-6622). Motion Passed.

TAX CALCULATION REVIEW

It was moved by Gunnink seconded by Meier to table the review of the truth in taxation hearing materials until the work session on April 25, 2023. Motion Passed.

The meeting adjourned at 11:55 a.m.

ATTEST:

Carolyn McDonald, County Administrator

Molly Malone, Board Chair