

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
December 07, 2023, 9:00 a.m.

Pursuant to notice, the Murray County Board of Commissioners convened with the following members present; Molly Malone, Lori Gunnink, Jackie Meier, Dennis Welgraven and David Thiner. Also present: General Assistant Emily Ackerman, County Administrator Carolyn McDonald, Human Resource Directors Ronda Radke and Charlotte Seager.

The Board Chair asked if there were any additions to the agenda, County Administrator Carolyn McDonald added Negotiations for Friday December 15, 2023, at 1:00pm. Commissioner Gunnink added a quote for the heating in the museum.

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

No Conflicts of Interest were identified.

3. Consent Agenda:

1. Approve November 28, 2023, Regular Meeting Minutes, with changes.
2. Approve November 28, 2023, TNT Meeting Minutes.
3. Commissioner Warrants dated 12/07/2023 for the amount of \$167,840.70 numbered 172879 through 172953.

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

4.1.1 RESOLUTION – SLAYTON DRIFTBREAKERS SNOWMOBILE TRAIL ASSISTANCE PROGRAM SPONSORS

Resolution 2009-06-02-02 resolved that Murray County would act as legal sponsor for the Slayton Driftbreaker’s DNR Snowmobile Trails Assistance Program. The county acts as a pass through where the grant funds are deposited with the county and turned around and mailed directly to the club. The resolution included language that remains in effect until revoked or superseded by future board action. This was at the suggestion of the DNR at that time. In 2022 the DNR suggested the county pass this resolution annually going forward.

Commissioner Gunnink offered the following resolution and moved for its adoption:

RESOLUTION NO. 2023-12-07-01
A Resolution to Act as Legal Sponsor for the
Snowmobile Trails Assistance Program FY 2024

BE IT RESOLVED, That Murray County will act as legal sponsor for the fiscal year 2024 application for the Department of Natural Resources Snowmobile Trails Assistance Program.
BE IT FURTHER RESOLVED, That Murray County will enter into agreement with the State of Minnesota for the Snowmobile Trails Assistance Program.

BE IT FURTHER RESOLVED, That Murray County will comply with all applicable laws and regulations as stated in the agreement with the State of Minnesota.

BE IT FURTHER RESOLVED, That the Murray County Auditor/Treasurer will act as fiscal agent on behalf of Murray County.

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

4.1.2 DELEGATE AUTHORITY TO DESIGNATE DEPOSITORIES AND MAKE INVESTMENTS

M.S.§118A.02 requires designation or delegation of authority to designate depositories of funds and make investment on behalf of the governing body.

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

RESOLUTION 2023-12-07-02
A Resolution Delegating Authority to
Designate Depositories and Make Investments in 2024

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners delegates authority pursuant to M.S.§118A.02 to Heidi E. Winter, or successors, to designate depositories and make investments of funds under M.S. §118A01 to 118A.06 or other applicable law during 2024.

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

4.1.3 RESOLUTION DELGATE EFT AUTHORITY (M.S.§471.38)

M.S.§ 471.38, subd. 3a requires a governing body to annually delegate authority for electronic fund transfers.

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

RESOLUTION 2023-12-07-03
A Resolution to Delegate Authority
for Electronic Fund Transfers in 2024

WHEREAS, Minnesota Statue §471.38 allows for the use of electronic fund transfer as means of making various payments; and

WHEREAS, Electronic funds transfer is the process of value exchange via mechanical means without the use of checks, drafts, or similar negotiable instruments; and

WHEREAS, a local government may make an electronic funds transfer for the following:

- For a claim for a payment from an imprest payroll bank account or investment of excess money;
- For a payment of tax or aid anticipation certificates;
- For a payment of contributions to pension or retirement fund;

- For vendor payments; and
- For payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund.

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WHEREAS, the County Board shall annually delegate the authority to make electronic funds transfers to the County’s chief financial officer and their designee.

NOW THEREFORE, BE IT RESOLVED, that the Murray County Board delegates the authority to make electronic funds transfers in 2024 to Heidi E. Winter, Murray County Auditor-Treasurer and her designees.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Auditor-Treasurer will:

- Provide a copy of this resolution to the disbursing bank;
- Provide a list of all transactions made by electronic fund transfer to the county board at its next regularly scheduled meeting.

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

4.1.4 2024 POCKET GOPHER FEE

This is an annual resolution passed by the Board for county reimbursement to townships for pocket gopher bounty.

5-Year Payouts for Pocket Gopher Bounty

2019	\$	118
2020	\$	236
2021	\$	222
2022	\$	28
2023	\$	174

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

Resolution 2023-12-07-04
 A Resolution Setting the 2024 Pocket Gopher Bounty

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners set the 2024 Pocket Gopher Bounty at \$2.00. **(2023 Amount \$2.00).**

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

4.1.5 2023 BEAVER CONTROL FEE

- This is an annual resolution passed by the Board for beaver control fees.
- Fee increased from \$60 to \$75 in 2020 (first increase since 1998)

- These funds are paid directly to trappers through the claims process if nuisance beaver affecting a county road, park or drainage ditch are trapped.
- These claims are subject to approval by the ditch authority (drainage systems), highway engineer (roads and road ditches) or commissioners (parks).
- A Request for Inspection and Maintenance Repair form must be filed to trap beaver in county or judicial drainage ditches.

5-Year Payouts for Beaver Control Fees

2019	\$	420
2020	\$	525
2021	\$	825
2022	\$	225
2023	\$	600

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

Resolution 2023-12-07-05
A Resolution setting the Murray County
Beaver Control Fee for 2024

WHEREAS, certain types of public property including county roads, ditches, and parks can be adversely affected by nuisance beaver, and

WHEREAS, Murray County occasionally needs to purchase services to have nuisance beaver removed and to provide the necessary financial incentives that service providers require, and

NOW THEREFORE BE IT RESOLVED, that the Murray County Beaver Control Fee for 2024 is set at \$75.00 (**\$75 in 2023**) per nuisance beaver that are adversely affecting any county road, drainage system or park.

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

4.1.6 SET 2024 SOLID WASTE ASSESSMENT

This is an annual resolution passed by the Board to set a solid waste special assessment to collect the next year.

Solid Waste Assessment Summary (01-391-398)

1/1/2023 Balance	\$	408,282.00
2023 Special Assessments Received	\$	126,922.55 as of 11/30/2023
2023 Expenses Paid	\$	(39,693.81) as of 11/30/2023
Est 2023 Journal Entry to SCORE	\$	(125,000.00)
Est 2023 Journal Entry to Landfill	\$	<u>(25,000.00)</u>
2023 Ending Balance (est)	\$	<u>345,510.74</u>
2024 Special Assessments (estimated)	\$	125,000.00
2024 Budgeted Expenses	\$	<u>(80,000.00)</u> (includes journal entries to SCORE and Landfill)
2024 Ending Balance (est)	\$	<u>390,510.74</u>

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

Resolution 2023-12-07-06

A Resolution Setting the Solid Waste Assessment for 2024

WHEREAS, Resolution No. 2019-12-17-07 reestablished the Solid Waste Assessment for a maximum of \$50 per improved parcel (parcel with a structure), and

WHEREAS, said Resolution states that the assessment amount may be adjusted to collect a percentage of the maximum amount based on circumstances existing in the levy year.

NOW THEREFORE BE IT RESOLVED, That the Solid Waste Assessment for 2024 be set at \$24 for all improved parcels (parcels with a structure), 48% of the \$50 maximum established in Resolution No. 2019-12-17.

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

4.1.7 2024 911-SIGN ASSESSMENT

This is an annual resolution passed by the Board to set the E911 sign assessment for the subsequent year. This special assessment goes on all non-exempt rural parcels and funds the E911 sign program, including the replacement of intersection signs.

Recommendation to leave assessment at 2024 amount of \$3.00 per parcel. See below for estimated balance with this recommendation:

911 Sign Assessment Summary (01-283-287)

1/1/2023 Balance	\$ 151,832.10
2023 Special Assessments Received	\$ 18,988.24 (through 11/30/2023)
2023 Expenses Paid	\$ (5,138.52) (through 12/21/2023)
<i>2023 Ending Balance (est)</i>	<u>\$ 165,681.82</u>
2024 Projected Special Assessments (estimated)	\$ 18,500.00
2024 Budgeted Expenses	\$ (22,000.00)
<i>2024 Ending Balance (est)</i>	<u><u>\$ 162,181.82</u></u>

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

RESOLUTION NO. 2023-12-07-07

A Resolution Setting the E911 Assessment for 2024

WHEREAS, M.S. §429.021, subd. 1(18) authorizes counties to levy special assessments to purchase, install and maintain signs, posts and other markers for addressing related to the operation of enhanced 911 telephone service.

NOW THEREFORE BE IT RESOLVED, that the E911 Rural Sign Assessment be set at \$3.00 and extended for assessments payable in 2024 for all non-exempt parcels in Murray County. (\$3.00 in 2023)

BE IT FURTHER RESOLVED, That unspent funds from these assessments be committed as fund balance.

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

5.1.1 MNDOT TRUNK HIGHWAY 59 DETOUR RESOLUTION

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

Resolution 2023-12-07-08
MnDOT Agreement No. 1055124

IT IS RESOLVED that Murray County enter into MnDOT Agreement No. 1055124 with the State of Minnesota, Department of Transportation for the following purposes:
To provide for payment by the State to the County for the use and maintenance of County State Aid Highway No. 48 and County State Aid Highway No. 29 as a detour route during the construction to be performed upon, along, and adjacent to Trunk Highway No. 59 from 201st Street to Trunk Highway No. 23 under State Project No. 5105-30 (T.H. 59=17).

IT IS FURTHER RESOLVED that the County Board Chair Molly Malone and the County Administrator Carolyn McDonald are authorized to execute the Agreement and any amendments to the Agreement.

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

6.1.1 MUSEUM SITE COORDINATOR/COLLECTIONS MANAGER

Approve hiring Ann Muecke as a 30-40 hour per week Museum Site Coordinator Collections Manager effective December 18, 2023, at a labor grade 3, step 1 (\$16.86).

It was moved by Welgraven, seconded by Gunnink to approve hiring Ann Muecke as a 30-40 hour per week Museum Site Coordinator/Collections Manager effective December 18, 2023, Per the recommendation of the Personnel Committee. Motion Passed.

6.1.2 2024 MEAL REIMBURSEMENT

Consider approval of a resolution stating the 2024 meal reimbursement policy

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

Resolution 2023-12-07-09
A Resolution Stating the 2024 Meal Reimbursement Policy

NOW THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners set the 2024 meal reimbursement amount at \$50.00. (2023 rate is \$50.00)

BE IT FURTHER RESOLVED, that all claims for meal reimbursement be accompanied by a valid and original receipt that list the name of the establishment, the total amount of the meal and “tip” and at least the initials of an employee or the owner of the establishment.

The foregoing resolution was duly seconded by Commissioner Meier and thereupon being put to a vote was adopted.

7.1.1 MUSEUM HEAT QUOTE

Commissioner Gunnink provided an estimate from Slayton Plumbing and Heating for redoing the heat in the Museum with a total cost of \$5,194.54.

It was discussed to transfer the funds from the historical society operations account one of the building accounts.

It was moved by Gunnink, seconded by Meier to move forward with the estimate from Slayton Plumbing and heating, transfer the funds from the historical society operations account to one of the buildings accounts and to not exceed \$5,500.000 total for the project. Motion Passed.

It was moved by Gunnink, seconded by Meier to approve allowing End-O-Line Coordinator Nick Demuth to get updated estimates on moving the buildings at End-O-Line Railroad Park. Motion Passed.

8.1.1 CONDITIONAL USE PERMIT 60 DAY EXTENSION

During the public hearing on November 16,2023, it was determined that more time was needed for preparing the findings and gathering additional information before the Planning Commission could recommend a decision on the following Conditional Use Permit Application:

Lundblad Holdco Solar LLC

NW1/4 NW1/4, Section 22, Slayton Township

CUP #1414

Construct and operate a 1MW Community Solar Garden in the Rural Residential District

Since the initial 60-days from the date of the complete application submittal of October 16, 2023, would expire on December 15, 2023, the Planning Commission moved to recommend a 60-day extension per Minnesota Statutes §15.99 3(f).

It was moved by Thiner, seconded by Gunnink to approve a 60-day extension for Conditional Use Permit #1414 for Lundblad Holdco Solar LLC to construct and operate a 1 MW Community Solar Garden in the Rural Residential District in the NW1/4 NW1/4, Section 22, Slayton Township to:

1. Allow the Murray County Zoning/Environmental Administrator to prepare findings based on the discussion and documentation submitted for the conditional use permit public hearing for review and adoption;
2. Allow for the gathering of, and researching of, additional information; and

3. Allow new information to be presented at the next meeting of the Murray County
4. Planning Commission

The matter will be considered again by the Planning Commission on Thursday, December 21, 2023, with any recommendation of the CUP presented to the Murray County Board of Commissioners for final approval, within the time limitations of the extension as set forth in Minnesota Statutes §15.99. Motion Passed.

9.1.1 2024 AIS PLAN UPDATE AND AIS EMERGENCY RESPONSE PLAN

The AIS Committee, consisting of Commissioners Thiner and Malone, reviewed the revised AIS Plan, which included suggested changes from the Environmental Services Office. The proposed changes include:

1. The recognition of additional lakes listed as infested due to their connection to Lake Shetek;
2. Updating action items from consideration to work on to continue working on;
3. Installation of common carp mechanical fish barrier at Fulda Outlet Dam;
4. Promoting and involving area Lake Associations in AIS surveys and monitoring, including funding opportunities;
6. Continue to update and maintain the Emergency Response Plan;
7. Updates to Tier 2 and Tier 3 Lakes and their AIS Status;
8. Other minor corrections.

The AIS Plan includes the 2024 AIS Budget

The AIS Committee also reviewed and recommended approval of the newly drafted Murray County Aquatic Invasive Species (AIS) Emergency Response Plan (ERP). This ERP identifies what actions will be taken, when, and by whom, when a new infestation has been identified.

It was moved by Gunnink, and seconded by Thiner to approve the proposed amendments to the Murray County Aquatic Invasive Species (AIS) Plan, including the 2024 AIS Budget, and to adopt the Murray County Aquatic Invasive Species (AIS) Emergency Response Plan. Motion Passed.

10.1.1 2024 MEETING DATES

There was discussion to eliminate the third meeting of the month due to lack of agenda items and scheduling conflicts.

It was moved by Gunnink, seconded by Malone to remove the third meeting of the month due to lack of agenda items. The motion failed with a roll call vote as follows:

Malone: Yes

Gunnink: Yes

Meier: No

Welgraven: No

Thiner: No

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

Resolution 2023-12-07-10
Setting 2024 Meeting Dates

WHEREAS, the Murray County Board of Commissioners hold regular meetings;

NOW THEREFORE BE IT RESOLVED, that the following Tuesdays in 2024 are set for regular Board meetings and Work Session meetings of the Murray County Board of Commissioners beginning at 8:30 a.m.:

January	2 nd	16 th	23 rd
February	6 th	20 th	27 th
March	5 th	19 th	26 th
April	2 nd	16 th	23 rd
May	7 th	21 st	28 th
June	4 th	18 th	25 th
July	2 nd	16 th	23 rd
August	6 th	20 th	27 th
September	3 rd	17 th	24 th
October	1 st	15 th	22 nd
November	5 th	19 th	26 th
December	5 th	17 th	26 th

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

11.1.1 UNION NEGOTIATIONS FOR LELS DISPATCHER/JAILER

It was moved by Gunnink, seconded by Meier to approve meeting on Friday December 15, 2023, for the LELS Dispatcher/Jailer union negotiations at 1:00 p.m. Motion Passed.

The meeting recessed at 9:50 a.m.

The meeting came back into session at 9:58 a.m.

COUNTER PROPOSAL WITH AFSCME UNION NEGOTIATIONS

Labor attorney John Edison and County Administrator Carolyn McDonald led the discussion on the AFSCME Highway Union negotiations counter proposal. AFSCME Business Agent Ethan Sykes, union steward Jody Penoyer, highway maintenance worker Bruce Bertrand and lead mechanic Eli Ackerman were present to discuss the upcoming contract.

The meeting moved to closed session for discussion on the strategy.

CLOSED SESSION FOR AFSCME LABOR NEGOTIATIONS STRATEGY

10:10 a.m. It was moved by Meier, seconded by Welgraven to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03.

Commissioners, Molly Malone, Lori Gunnink, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Labor Attorney John Edison Human Resource Directors Ronda Radke and Charlotte Seager, and General Assistant Emily Ackerman.

10:46 a.m. It was moved by Gunnink, seconded by Meier to come out of closed session. Motion Passed.

AFSCME Business Agent Ethan Sykes, union steward Jody Penoyer, highway maintenance worker Bruce Bertrand and lead mechanic Eli Ackerman came back into session to discuss changes and ask clarifying questions.

10:58 a.m. It was moved by Meier, seconded by Gunnink to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03.

Commissioners, Molly Malone, Lori Gunnink, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Labor Attorney John Edison, Human Resource Directors Ronda Radke and Charlotte Seager, and General Assistant Emily Ackerman.

11:15 a.m. It was moved by Thiner, seconded by Welgraven to come out of closed session. Motion Passed.

The meeting recessed at 11:15 a.m.

The meeting came back into session at 11:23 a.m.

AFSCME Business Agent Ethan Sykes, union steward Jody Penoyer, highway maintenance worker Bruce Bertrand and lead mechanic Eli Ackerman came back into session to discuss possible changes to the contract.

The meeting recessed at 11:37 a.m.

The meeting came back into session at 11:58 a.m.

AFSCME Business Agent Ethan Sykes, union steward Jody Penoyer, highway maintenance worker Bruce Bertrand and lead mechanic Eli Ackerman came back into session to discuss changes and ask clarifying questions.

12:04 p.m. It was moved by Meier, seconded by Gunnink to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03.

Commissioners, Lori Gunnink, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Labor Attorney John Edison, Human Resource Directors Ronda Radke and Charlotte Seager, and General Assistant Emily Ackerman.

12:14 p.m. It was moved by Meier, seconded by Thiner to come out of closed session. Motion Passed.

AFSCME Business Agent Ethan Sykes, union steward Jody Penoyer, highway maintenance worker Bruce Bertrand and lead mechanic Eli Ackerman came back into session to discuss changes and ask clarifying questions.

The meeting recessed at 12:27 p.m.

The meeting came back into session at 1:00 p.m.

LABOR NEGOTIATIONS STRATEGY

Labor attorney John Edison and County Administrator Carolyn McDonald led the discussion on the LELS Deputy Sheriff Union negotiations counter proposal. LELS Business Agent Timothy Jeanetta, union stewards Devin Gillette and Jarrod Larson, Deputy Sheriff's Scott Ahlers and Prestin Parker and were present to discuss the upcoming contract.

The meeting recessed at 1:12 p.m.

The meeting came back into session at 2:16 p.m.

2:48 p.m. It was moved by Thiner, seconded by Meier to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03.

Commissioners, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Labor Attorney John Edison, Human Resource Directors Ronda Radke and Charlotte Seager, and General Assistant Emily Ackerman.

3:10 p.m. It was moved by Thiner, seconded by Meier to come out of closed session. Motion Passed.

The Meeting was adjourned at 3:14 p.m.

ATTEST:

Carolyn McDonald, County Administrator

Molly Malone, Board Chair