

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY  
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA  
January 16, 2024, 8:30 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, and County Attorney Travis Smith, VIA Zoom.

The Board Chair asked if there were any additions to the agenda, none were added.

**3. Consent Agenda:**

1. Approve January 2, 2024, Meeting Minutes, with changes.
2. Commissioner Warrants dated 01/16/2024 for the amount of \$152,859.62 numbered 173216 through 173275.

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

Conflict of Interest identified: Commissioner Malone will abstain from the EDA Revolving Loan fund discussion.

**4.1.1 DITCH BILLS**

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

*SEE NEXT PAGE FOR LISTING*

**Bolton & Menk**

|             |                 |                        |                               |
|-------------|-----------------|------------------------|-------------------------------|
| 21-706-6260 | CD 41           | <u>3,396.50</u>        | Engineering-CD 41 Improvement |
|             | <b>Subtotal</b> | <b><u>3,396.50</u></b> |                               |

**C & K Construction**

|             |                 |                        |                                  |
|-------------|-----------------|------------------------|----------------------------------|
| 21-709-6290 | CD 43M          | <u>4,105.10</u>        | #2023-052 ok'd T. Radke 1-5-2024 |
|             | <b>Subtotal</b> | <b><u>4,105.10</u></b> |                                  |

**Cooreman Contracting**

|             |                 |                        |                                  |
|-------------|-----------------|------------------------|----------------------------------|
| 21-671-6290 | CD 22           | <u>400.00</u>          | #2023-038 ok'd T. Radke 1-2-2024 |
| 21-847-6290 | JD20A           | <u>7,164.70</u>        | #2023-036 ok'd T. Radke 1-2-2024 |
|             | <b>Subtotal</b> | <b><u>7,564.70</u></b> |                                  |

**Johnson Ditching, Inc**

|             |                 |                        |  |
|-------------|-----------------|------------------------|--|
| 21-829-6290 | JD 14           | <u>9,356.07</u>        | #2023-037 Ok'd by T. Radke on 1-4-2024 |
|             | <b>Subtotal</b> | <b><u>9,356.07</u></b> |  |

**Prairie View Farms, LLC**

|             |                 |                        |  |
|-------------|-----------------|------------------------|--|
| 21-709-6290 | CD 43M          | <u>7,440.00</u>        | #2023-039 Ok'd by T. Radke on 1-5-2024 |
|             | <b>Subtotal</b> | <b><u>7,440.00</u></b> |  |

**Rinke Noonan**

|             |                 |                      |                 |
|-------------|-----------------|----------------------|-----------------|
| 21-868-6260 | Admin           | <u>200.00</u>        | 12-2023 Monthly |
|             | <b>Subtotal</b> | <b><u>200.00</u></b> |                 |

**Total Ditch Bills 32,062.37**

**4.1.2 DISCUSSION ON FUTURE DRAINAGE SYSTEM FINANCING**

The county has multiple drainage projects that will likely need financing in 2024. The board requested this be discussed in January 2024.

A/T Winter stated that CD 41 is still pending, the preliminary engineers report and preliminary hearing have been completed. Viewers have been directed to determine improvement benefits and the County has appointed the engineer. It is anticipated a final report will be this year for bids. Information on CD 22 is currently with the main landowner that plans to prepay, it is not anticipated that the County will have to finance CD 22.

A color-coded detailed listing was provided to the commissioners. The yellow portion indicates the current debt load for any existing ditch projects. The top line indicates Refunding Bonds for the Red Rock Rural Water through the JPA. This is where the county issued the debt on behalf of RRRW as they do not have the mechanism to do so through statute.

The yellow portion consists of the list of ditches under the bond, the original principal balance, the current outstanding balance as well as the interest rate.

The blue indicated the possible future bonding. The left column shows the applicable ditch. Group 1 & 2 redeterminations have been completed. Group 3 is pending but will be completed this year. The remainder of the column shows the estimated cost for the remaining legal, notices, and miscellaneous charges. The CD 41 improvement of \$3,076,205.00 is the preliminary engineer's report for the estimated costs. It is anticipated that that within the next year to 18

months the county will have \$3,811,205.00 worth of drainage obligations to finance through some type of bond.

The pink indicated other information from Northland Securities for estimated rates on a 15- and 20-year term with the estimated \$3,811,205.00. A 15-year term would be estimated at 3.40% and 20 years would be estimated at 3.70%. Two statutes provided with information on advancing funds between drainage accounts, any amounts will get repaid by statutory amount which is 6% or whichever is greater. Ditch Attorney John Kolb recommends when the county sets the amount to go with the lower amount because the not to exceed amount is 5%.

A/T Winter is looking for direction from the Board on moving ahead or starting a special assessment collection on the first two redeterminations, at least so far as they are completed.

| <u>Current Debt Load (with 2/1/2024 payments made)</u>    |                    |                    |                        |            |
|---|--------------------|--------------------|------------------------|------------|
| For   | Original Principal | Final Payment Date | Outstanding Balance    | Rate (AIC) |
| G.O. Refunding Bonds, Series 2007A (Red Rock Rural Water) | \$ 1,625,000.00    | 2/1/2029           | \$ 100,000.00          | 4.1568%    |
| G.O. Ditch Bonds, Series 2016A (CD 35, CD 73, CD 82)      | \$ 1,695,000.00    | 2/1/2032           | \$ 845,000.00          | 2.3027%    |
| G.O. Ditch Bonds, Series 2018A (CD 61 JD 8)               | \$ 1,220,000.00    | 2/1/2034           | \$ 795,000.00          | 3.5197%    |
| G.O. Ditch Bonds, Series 2021A (JD3, JD6, JD20A)          | \$ 4,555,000.00    | 2/1/2037           | \$ 4,075,000.00        | 1.4194%    |
|   |                    |                    | <u>\$ 5,815,000.00</u> |            |

  

| <u>Possible Future Bonding</u>                            |                               |
|---|-------------------------------|
| For   | *Estimated* Amount to Finance |
| Group 1 Redetermination of Benefits (completed 9/22/2022) | \$ 273,000.00                 |
| Group 2 Redetermination of Benefits (completed 9/12/2023) | \$ 206,000.00                 |
| Group 3 Redetermination of Benefits (pending for 2024)    | \$ 150,000.00                 |
| All Groups Redetermination of Benefits - Legal            | \$ 80,000.00                  |
| All Groups Redetermination of Benefits - Notices          | \$ 25,000.00                  |
| All Groups Redetermination of Benefits - Miscellaneous    | \$ 1,000.00                   |
| County Ditch 41 Improvement                               | \$ 3,076,205.00               |
|   | <u>\$ 3,811,205.00</u>        |

  

| <u>Other Information</u>   |
|--|
| <u>Estimated</u> rate on bonds *   |
| - 15-year term: 3.40%  |
| - 20-year term: 3.70%  |
| *based on county's Aa3 rating on January 9, 2024   |
| M.S. §103E.665, subd. 2 - allows advancing funds to cover negative balances in ditch accounts to be repaid with interest (5% - see following explanation)  |
| M.S. §103E.611 - addresses interest rate - rate may not exceed the rate determined by the state court administrator for judgements under section 549.09, or 6%, whichever is greater. John Kolb suggested that "because the interest is a may not exceed number, the Board has discretion to set it within the limits. The current judgment under 549.09 is 5%. We usually recommend the Board use the lesser of the two numbers). |

Discussion was had on how much time is allowed for prepayment. It was determined that currently, the county provides landowners 30 days to prepay without interest, after the 30 days they will no longer be able to prepay and will have to pay the interest rate set by the county. The rate does not have to be set right now.

Discussion was held regarding allowing the prepayments before the first of the year so the farmers could have written the debt off. Discussion was held on whether the total of \$273,000.000 on the Group 1 determination included all of the extra acres.

Clarification was that the extra acres were calculated out, \$36,000 and \$24,000 on the Group 1 and Group 2 benefits.

The Schuler and Weideman redeterminations were considerably lower, so linear assessments were applied. The current discussion are just the H2Overviewers reports. Schuler and Weideman redeterminations are levied for in the maintenance levy.

The drainage authority is handling the bill for the CD 11(Hwy 30) issue. It was advised that all the bills have been paid except for one farmer with crop damage and the owner wants to wait until October to be paid. CD 11 has been levied at \$18,000 a year, since the incident happened ,and the landowners on CD 11 are paying.

The Board discussed moving forward with pre-payments for Group 1 & 2 since they are completed and waiting until Group 3 is complete to send them out. An assessment roll can be compiled with more accurate numbers for each ditch system to see exactly how much is allocated for each ditch. Discussion was held on a preferred time of year to send these out to be flexible for the farmers. Joint ditches of 3, 5, and 24 have not yet had hearings.

The Board discussed sending a special assessment out to all those completed in Group 2 because all but four are completed. It was determined that a motion is not needed until the assessment roll is completed and reviewed by the Board for approval.

#### 4.1.3 APPROVAL OF 2024 APPROPRIATIONS

The Board reviewed the list of budgeted 2024 appropriations.

Commissioner Malone stated that the Minnesota Rural Broadband Coalition has been absorbed by AMC.

It was moved by Malone, seconded by Gunnink to approve the 2024 budgeted appropriations as follows without the Minnesota Rural Broadband Coalition, and the Missouri River Watershed:

#### **2024 Appropriations and Dues**

|        |  |                 |             |   |
|--------|--|-----------------|-------------|---|
| 9562   | ACE of SW MN                                     | 01-505-6872     | \$19,466.00 | Invoiced Quarterly  |
| 9562   | ACE of SW MN (for Coordinator on Aging Services) | 01-515-517-6872 | \$15,230.00 | Invoiced Quarterly (Coordinator on Aging Service \$14,750 + cell phone reimbursement \$480) |
| Varies | American Legions - Several (May)                 | 01-121-6863     | \$2,500.00  | Paid in May to Legion Posts in County   |
| 1659   | Area II MN River Basin (Bill may come in May)    | 01-619-611-6842 | \$3,013.80  | One-Time Payment in January   |
| 9910   | Casey Jones Trail/Friends of                     | 18-881-6851     | \$1,000.00  | One-Time Payment in January   |

|       |   |                 |              |   |
|-------|---|-----------------|--------------|---|
| 12915 | Explore Southwest MN Inc                                      | 01-005-6881     | \$1,500.00   | One-Time Payment in January   |
| 12774 | Fulda Food Shelf, Inc.  | 01-002-6803     | \$1,200.00   | One-Time Payment in January   |
| 12255 | Fulda Heritage Society  | 01-002-6803     | \$5,000.00   | One-Time Payment in January   |
|       | Missouri River Watershed – One Watershed One Plan             | 01-638-623-6848 | \$500.00     | Wait for invoice  |
| 1374  | Murray County Ag Society                                      | 01-620-6865     | \$34,000.00  | 2 Semi-Annual Payments of \$17,000. 1st payment in January. 2nd payment only after Fairboard makes request.                                   |
| 13990 | Murray County Early Childhood Initiative                      | 01-510-508-6877 | \$3,000.00   | One-Time Payment in January   |
| 5337  | Murray County Mutual Aid Assoc                                | 01-290-289-6855 | \$3,000.00   | One-Time Payment in January   |
| 5007  | Murray Soil & Water   | 01-602-6852     | \$205,057.00 | Invoiced Quarterly (\$51,264.25) after presentation by S&W Board and approval by County Board.  |
| 7893  | Pioneer Public TV   | 01-510-510-6867 | \$1,000.00   | One-Time Payment in January   |
| 1015  | Plum Creek Library System                                     | 01-502-6861     | \$70,550.00  | MOE \$58,667; \$8633 (additional) paid in 2 semi-annual payments to Fulda and Slayton libraries; \$3,250 paid directly to PCLS for operations |
| 1324  | RCRCA (Kerry Netzke)  | 01-610-6871     | \$4,320.00   | One-Time Payment in January   |
| 3605  | Southern Minnesota Tourism Association                        | 01-005-6875     | \$408.95     | One-Time Payment in January   |
| 12914 | Southwest Arts & Humanities Council                           | 01-510-507-6876 | \$500.00     | One-Time Payment in January   |
| 7625  | Southwest Health and Human Services (Public Health)           | 01-481-6844     | \$98,148.00  | Invoiced Quarterly  |
| 7209  | Southwest Initiative Foundation                               | 01-510-508-6877 | \$3,000.00   | One-Time Payment in January   |
| 10012 | SW MN Workforce Center  | 01-885-871-6879 | \$2,445.00   | One-Time Payment in January   |
| 1252  | SWRDC - Treasurer - Rural MN Energy Board                     | 01-638-608-6853 | \$2,500.00   | One-Time Payment in January   |
| 4252  | ?? SWRDC – Treasurer – Minnesota Rural Broadband Coalition ?? | 01-002-6242     | \$1,500.00   | One-Time Payment in January   |
| 13982 | Worthington Composite Squadron MN113                          | 01-002-6803     | \$1,000.00   | One-Time Payment in January   |

\$477,838.75

\*Shaded Cells are required by statute

#### 4.2.1 – BID OPENING LAKE SARAH ROCK ARCH RAPIDS INSTALLATION PROJECT

December 19, 2023, the Murray County Board of Commissioners approved to go out for bids for the Lake Sarah Dam Modification project, with a project estimate of \$333,000 (grant) plus \$33,300 (County Match) for a total project cost of \$366,300. The bid opening date was set for January 16, 2024, at 9:00 AM.

Construction is expected to be completed by December 1, 2024, except for Seeding and Mulching, which shall be completed by June 15, 2025.

| Company                     | Address               | Bid Amount   |
|-----------------------------|-----------------------|--------------|
| MIDWEST CONTRACTING LLC     | Marshall, MN 56258    | \$476,285.00 |
| Landwehr Construction Inc.  | Saint Cloud, MN 56302 | \$304,740.00 |
| MNL                         | Otsego, MN 55362      | \$268,805.00 |
| Minger Construction Company | Jordan, MN 55352      | \$485,000.00 |
| Geomorphic Restoration      | Duluth, MN 55803      | \$217,885.00 |

|                                 |                      |              |
|---------------------------------|----------------------|--------------|
| A&C Excavating LLC              | Marshall, MN 56258   | \$326,585.00 |
| Nooman Excavating, LLC          | Currie, MN 56123     | \$289,900.00 |
| Towne & Country Excavating, LLC | Garvin, MN 56132     | \$250,195.00 |
| Williams Excavation, LLC        | Elbow Lake, MN 56531 | \$594,445.00 |
| Rupp Construction               | Slayton, MN 56172    | \$205,675.00 |

Zoning/Environmental Administrator Jean Christoffels and Parks Director Justin Hoffmann will send the bids to Houston Engineering for review and tabulation.

#### **4.3.1 – DITCH INSPECTION REPORT**

A motion was made by Malone, seconded by Gunnink, and carried that the Commissioners in conjunction with the appointed ditch inspector in and for the County of Murray, have examined and inspected that portion of the foregoing described County and Judicial Ditches, lying within the County of Murray, for the purpose of determining what repairs are necessary and ordered said repairs to be made, by this report given thereon at a Murray County Board of Commissioner’s meeting, held in the Commissioners Room of the Murray County Government Center, Slayton, Minnesota

- Petition 2024-001 (CD 22, Shetek Twp. Sec.24, District 1–Malone)

The plan is to raise the grate instead of removing it. Ditch Inspector Radke stated he and the landowner have cleaned the grate numerous times. Raising the grate will allow the small nonissue debris to flow through and allow to keep the 36” tile.

There was a question about animals getting into the grate such as a beaver building a dam. It was determined that raising it would not create an opening large enough for an animal. The current engineer contacted the original engineer and they only wanted certain bars taken out of the grate, which has already been done.

#### **4.4.1 – CITIZEN COMMITTEE BOARD MEMBER RECOGNITION**

Marc Hollahan was originally appointed to the Murray County Planning Commission in January 2020, and then appointed to the Board of Adjustment in January 2021. A certificate was presented to recognize Marc for his 4 years of dedication to Murray County.

Vern Carlson served on the Murray County Planning Commission for a total of 14 years, from January 2009 through December 2023. A certificate was presented to Vern for his dedication to Murray County by serving on the Planning Commission.

#### **4.5.1 – CONTEGRITY UPDATE ON HIGHWAY BUILDING**

Larry Fillipi from Contegrity presented an update on the Highway Building Project budget and schedule.

The project is going well budget-wise with the contingency and the general conditions. The project is ahead of schedule. Originally, they were expecting occupancy by June 24, 2024, and at this time we are looking at April 2024. Currently we are waiting on a few electrical things due to shipping. Painting is being completed currently; ceiling grid will be going in shortly. They are looking at getting a crane scheduled. Some of the exterior paving may not be until the spring.

A mechanical engineer inspection was discussed. Larry stated this is not confirmed and it's not in the contract to do an extra visit. It was stated there are no issues or concerns with getting the engineers out here but that the County's contract with the architect does not account for it.

An inspection with a mechanical engineer was discussed, and it was recommended to do it before the ceiling tiles were put in. It was asked if there have been any major issues. Larry stated there have not been any major issues. The elevation of the building was discussed, with Larry stating there is a good slope leading to the drain tile system.

**4.6.1 – FACILITIES MANAGER**

The Facilities Manager position was approved during the budget meetings for 2024 and in the staffing levels for 2024. The job description has been sent to David Drown & Associates to be pointed, the position points at grade 11. Approval was requested to start the recruitment process to fill the Facilities Manager position. This position is a grade 11 with the wage range of \$28.23-\$36.69.

It was moved by Thiner, seconded by Gunnink, to approve the recruitment process for a Full-time Facility Supervisor. Motion Passed.

**4.6.2 – HIGHWAY MAINTENANCE WORKER**

Approve hiring Darren Saner as a regular full-time Highway Maintenance Worker effective January 22, 2024, at a labor grade 8, step 7 (\$28.44).

It was moved by Gunnink, seconded by Thiner, to approve hiring Darren Saner as a regular full-time Highway Maintenance Worker effective January 22, 2024. Contingent upon satisfactory results of a criminal background check and a pre-employment drug test. Motion Passed.

**4.7.1 – SWHHS ANNUAL LEASE AGREEMENT**

County Administrator McDonald presented the 2024-2025 SWHHS Lease agreement. The Agreement contains the same language and the same cost.

It was moved by Welgraven, and seconded by Malone, to approve the 2024 lease agreement between SWHHS and Murray County. Motion Passed.

**4.7.2 – 2024 CITIZEN COMMITTEE APPOINTMENT – PARKS AND RECREATION ADVISORY COMMITTEE**

After the January 2, 2024, Commissioners meeting there was still one spot open on the Parks and Recreation Advisory Committee for District 4.

An application was received a week later the Parks and Recreation Advisory Committee.

|   |                        |
|---|------------------------|
| Board                                       | Appointee              |
| Parks and Recreation Advisory Committee (1) | Dist. 4 – Terry Giesen |

It was moved by Gunnink, seconded by Welgraven, to appoint Terry Giesen to the Parks and Recreation Advisory Committee. Motion Passed.

**4.7.3 – SET BID OPENING FOR 2024 OVERLAY PROJECTS SP 051-604-031, SP 051-605-010, SAP 051-601-017, SAP 051-604-032, SAP 051-631-011**

A map of 2024 projects was presented with upcoming projects for bid highlighted in yellow. City Administrator Josh Malchow commented that the City of Slayton is planning to do the Maple Avenue upgrade project at the same time as the County to help increase the chances of getting bids.

It was moved by Malone, seconded by Welgraven, set the bid opening on March 5, 2024, at 9:00 AM for projects SP 051-604-031, SP 051-605-010, SAP 051-601-017, SAP 051-604-032, SAP 051-631-011.

**4.7.4 – BOARD CHAMBERS DESK DESIGN DISCUSSION**

A new chambers desk in the boardroom was discussed. Human Resources Director Seager had an idea to potentially do a community competition to have local woodworkers, carpenters and individuals who might be interested in constructing a new desk for the commissioners, the administrator, and the board clerk.

It was stated that the board would like to do a bigger project to connect the Government Center and the Courts Building and have a work session to go over capital improvements and provide estimates for the Board. The commissioners would like to have an architect come look at the buildings. It was determined to have the County Administrator reach out to architectural firms to see to possibly provide drawings a rough cost estimate.

**4.8.1 – DONATION FROM EDF RENEWABLES**

4-H Horse Club was given a donation of \$3000.00 for a new drag for the Horse Arena on the Murray County Fairgrounds. Murray County 4-H will donate the same funds for the purchase of the drag by the parks department.

It was moved by Gunnink, seconded by Welgraven, to approve the \$3,000 donation given to Murray County 4-H by EDF Renewables for a new horse arena drag. Motion Passed.

**4.9.1 – HORSE ARENA DRAG PURCHASE**

The Parks Department would like to purchase a 6.5’ Rascal Pro drag for the horse arena. This will help us loosen the compacted sand at the base of the arena where our other drag cannot get to.

Budget Summary

|                              |                   |
|------------------------------|-------------------|
| 01-521-521-0000-6650 YTD     | \$5,500.00        |
| Donation from EDF Renewables | <u>\$3,000.00</u> |
| Subtotal                     | \$8,500.00        |
| New 6.5’ Rascal Pro Drag     | - \$6,029.99      |

Remaining funds in 01-521-521-0000-6650 \$2,470.01



It was moved by Gunnink, seconded by Malone, to authorize the purchase of a new 6.5' Rascal Pro Drag from ABI attachments, Inc for \$6,029.99. Motion Passed.

The new drag has longer tines and it has a cutting edge to get down to the sand base better.

It was moved by Meier, seconded by Gunnink, to approve moving \$5,500 from budget code 01-521-521-0000-6650 to 01-110-115-0000-6650 to purchase the Rascal Pro Arena Drag. Motion Passed.

#### **4.9.2 – LAWN MOWER PURCHASE**

The parks department has been on a cycle of trading off the lawn mowers every 2 years. Parks Director Hoffman would like to trade the 3 – 2022 Z930M ZTrak Commercial mowers for the new 2024 Z930M ZTrak Commercial mowers.

|   |               |
|---|---------------|
| New Z930M ZTrak Commercial Mowers (3 @\$13,000) | \$39,000.00   |
| Less: Trade In                                  |               |
| 2020 Z930M                                      | \$ (9,000.00) |
| 2020 Z930M                                      | \$ (9,000.00) |
| 2020 Z930M                                      | \$ (9,000.00) |
| Subtotal  | \$27,000.00   |

#### **Budget Summary**

|                             |                    |
|-----------------------------|--------------------|
| 01-110-115-0000-6650 YTD    | \$15,500.00        |
| John Deere Lawn Mower Trade | <u>\$12,000.00</u> |
| Subtotal                    | \$ 3,500.00        |

It was asked if it's going to cost \$12,000 to trade. It was determined that the mowers are the same as what we have just an updated version and are close to 500 hours on all three mowers. The warranty is a 2-year warranty and aftermarket shock kits are put on the mowers to prevent flat front tires from debris around the racetrack.

It was moved by Thiner, seconded by Welgraven, to authorize the purchase of three new parks department mowers from C&B Operations, LLC for \$12,000 to be paid from account code: 01-110-115-0000-6650. Motion Passed.

#### **4.9.3 – MURRAY COUNTY RACING ASSOCIATION LEASE AGREEMENT RENEWAL**

The Murray County Racing Association's 2-year lease agreement has expired, and they would like to renew their lease for another 2 years.

Section 3.5 Race Admission Tickets will need to be changed and updated:

*The Murray County Racing Association uses an electronic system to track their ticket sales at all gates. This system produces a report, of which the Racing Association turns into the Murray County Auditor/Treasurer's Office with the \$1.00 per sold ticket surcharge, plus the \$100.00 concession fee. This provision is to enable Lessor to account for the number in attendance.*

Income from the tickets sales over the last 2-3 years was requested. .

It was moved by Malone, seconded by Gunnink, to approve the 2024-2025 Murray County Racing Association Lease. Motion Passed.

The meeting was recessed at 9:52 a.m.

The meeting came back into session at 9:57 a.m.

#### **4.10.1 – REVOLVING LOAN FUND**

**Operation Prairie Venture (OPV)** is a community 501c3 organized to solve the need for housing for the elderly. OPV is applying to build a \$5 million facility with 24 assisted living and memory care units. They are applying for legislative bonding funds and believe that a letter of intent from the Murray County EDA would strengthen their request.

During the Dec. 21, 2023, EDA Board meeting, the board approved a \$250,000 loan from the Revolving Loan Fund. The loan would be at a 2.5 percent interest rate for 15 years, with payment deferred for 18 months after completion of the construction. This loan approval is contingent on legislative bonding approval.

If the bonding is not approved, OPV plans to pursue USDA funding, in which case the EDA board would meet to review the next funding steps. If approved, EDA Coordinator Wettschreck will draft a letter of intent addressed to OPV President Lynn Johnson.

The project would go on the old Golden Living Center Site. The City of Slayton wants the project to be an assisted living and memory care unit. There was a bonding tour stop from both the house and the senate this past fall. The city has about \$420,000 into the project for Phase 1 Environmental, demo of the building with a DEED Grant, in a shovel ready TIF district with water and sewer. It was stated the biggest difference between this loan request and the one approved in 2021 for MN Signature Care, is that the EDA board decided to drop the interest rate from 4.5% to 2.5% due to the need of this type of facility in the community.

The Board asked if OPV is looking at potentially getting additional funding from the EDA. It is still to be determined. The City of Slayton EDA is meeting at the end of January to discuss loan options as well. The Slayton EDA, Murray County EDA, Southwest Initiative Foundation, and several other groups pulled together when they had the private developer in 2021. A needs assessment done in 2020 stated that the need for this type of facility will be beyond 2025 and will be a combination of memory care and assisted living.

EDA Coordinator Wettschreck updated the Board on the income based affordable housing aid which is likely not applicable for this project. She has been advised to talk with the state housing and finance committee and has a meeting with Southwest Minnesota Housing to discuss the possibility of where the funds could be utilized. The EDA has the funds for the \$250,000.00 in the revolving loan fund. The EDA had put funds into broadband during the Iona project, due to using extra money in the operational fund.

The OPV facility would be licensed as the highest tier of assisted living with the endorsements needed for memory care. The design of the building and the need to certify the staffing levels to the state are required for a memory care unit. OPV is not looking to own and operate the building, but rather to own the building and have a management company come in and operate the facility. OPV has met with different companies that have provided them with wage structures and benefit information.

It was moved by Thiner, seconded by Meier, to approve a \$250,000 loan to OPV at 2.5 percent interest, for a term of 15 years with payment deferred for 18 months after completion of facility, contingent on legislative bonding in 2024.

- Thiner: Yes
- Welgraven: Yes
- Meier: Yes
- Gunnink: Yes
- Malone: Abstain

Motion Passed. 4 - 0

**4.11.1 – SEVEN MILE PARK – 115 DB MECHANICAL WARNING SIREN**

FEMA’s Hazard Mitigation Grant Program provides funding to state, local, tribal, and territorial governments so they can develop hazard mitigation plans and rebuild in a way that reduces, or mitigates, future disaster losses in their communities. These are done through reimbursement grants.

The Murray County hazard mitigation plan identifies public alerting as a vulnerability in and around Seven Mile Park. Making an outdoor warning siren, in the that location, eligible for funding under the 5% initiative. The summer of 2022, Minnesota Federal disaster 4666 was declared. Summer of 2023 a letter of interest was sent for mitigation projects in Murray County. In December of 2023 EM Nyquist was notified that the Seven Mile Park siren was a likely project for funding. The City of Fulda said they would split the Local share 50/50 with the County. The project has 26 months to complete.

It was asked what the availability is on sirens. EM Nyquist stated it is better than it was before but at the end of March there will likely be a price increase, so it is imperative that we get the siren now.

See finance summary and cost allocation below:

|                     |             |             |  |
|---------------------|-------------|-------------|--|
| Total Cost of Siren | \$28,269.00 |             |  |
| Federal Share       | 75%         | \$21,201.75 |  |
| Local Share         | 25%         | \$7,067.25  |  |
|                     |             |             | \$3,533.63 City of Fulda               |
|                     |             |             | \$3,533.63 Murray County (01-281-6650) |

It was moved by Gunnink, seconded by Welgraven, to move forward with a hazard mitigation grant to purchase an outdoor warning siren for Seven Mile Park in Fulda, authorize the Board

Chair and County Administrator to sign the grant supporting documentation on behalf of the county, authorize purchasing the siren contingent upon approval of grant award. Motion Passed.

#### **4.12.1 – APPLICATION FOR K-9 GRANT**

Sheriff Landsman sits on the opioid funding committee, in the first round of funding several area counties received funding for a K-9. Sheriff Landsman would like to apply for grant funding for a K9 in the second round of funding, which should come out in the first quarter of 2024. Letters of support from the County Attorney's Office, Buffalo Ridge Task Force, and the Slayton and Fulda Police Chiefs have been received.

Sheriff Landsman is going to seek grant funding to pay for the training and purchase of the dog. The County would then be responsible for ongoing vet bills, dog food, K9 handler pay, and an enclosure. Landsman stated he would also be asking for a grant to cover upfitting the squad for the K-9. The dog would be a narcotics detection and tracking dog, such as tracking a suspect or in a memory care issue and would not be used for apprehension. The Sheriff would like to potentially use it at schools. Murray County has had two dogs in the past: a German Shepard and a black lab. The requested K9 could be used in the home of a recovering addict concerned about forgotten drugs still in the home. A dog could also be used for search warrants through the task force or a search on the road. Board members discussed the availability of the K9 unit in Pipestone. The previous Murray County K9 was allowed to go with the handler when the deputy left Murray County employment, as the dog and handler are a package deal. The Board discussed training time and ongoing canine care requirements for the handling officer. The Sheriff stated this will have to be renegotiated through an MOU to the contract. In addition, daily overtime pay for the deputy handling the K9 would be expected.

The Board discussed if K9 involvement in law enforcement holds up in court. Dogs now are being trained so that they don't alert on cannabis, and are trained on a narrower class of drugs, and are widely used without a problem. The availability of a K9 was asked, because the deputy schedule is to work 7 days on and 7 days off, and the K9 availability would be every other week.

Board members asked if it would be more beneficial to use the funds towards drug court. During COVID the Sheriff's Office did not want to introduce more people into the jail facilities and potentially get staff sick, therefore Murray County does not currently have any residents in drug court. A dog is typically used when a person first goes into the drug court program to help with a thorough search of the residence to help find drugs that may have been overlooked.

The Board requested a compiled list of things that the opioid money could be used for, and if it could be assessed together. Ideas need to be presented to the opioid subcommittee board. The Sheriff did not apply in the first round of opioid funding requests, but after other counties applied for K9 funding and were approved, he then decided to apply.

The Board asked for innovative and supportive ideas to use opioid funding. There are many tools that can be used for opioid convictions, and the Board would like to see more options. Discussion was held on how the funds could be used for the task force drug testing. However, the task force will be getting the testing kits on their own with their own funding.

Dog training costs were discussed. The opioid money would be used to pay for the training, purchase of the dog, and the outfitting of the squad. The Sheriff estimates the cost of the dog is \$5,000 plus training. Ongoing costs are unknown. The need for the dog was discussed. The Board discussed possibly seeing the funds go towards education for the kids and what can be done to prevent drug use with the younger individuals.

It was moved by Thiner, seconded by Welgraven, to authorize the Sheriff's Office to pursue grant funds for a K-9. The motion failed with a 3 to 2 vote as follows:

Meier: No  
Malone: No  
Thiner: Yes  
Welgraven: Yes  
Gunnink: No

## **COMMITTEE REPORTS FOR THE PERIOD OF DECEMBER 24, 2023 – JANUARY 6, 2024**

### **Malone**

**12/27/23** Personnel  
**1/2/24** Commissioner Meeting

### **Gunnink**

**1/2/24** Commissioner Meeting  
**1/4/24** RCRC Area II

### **Meier**

**12/28/23** Policy Review  
**1/2/24** Commissioner Meeting  
**1/4/24** ECI Meeting

### **Welgraven**

**12/27/23** Personnel  
**1/2/24** Commissioner Meeting  
**1/4/24** Building

### **Thiner**

**12/28/23** Policy  
**1/2/24** Commissioner Meeting  
**1/4/24** Building

Gunnink mentioned that on Friday January 19<sup>th</sup> the museum will be doing their volunteer recognition from 2pm – 4pm at the Dinehart Holt House.

Thiner asked if the Board would like to get an estimate for the electrical and mechanical engineer to inspect the Highway Building. McDonald will reach out to Contegrity for quotes. Thiner stated there are two openings on the SMOC board and would like to know who picks the people who need to be on the board. He stated that SMOC does not go out and solicit people. Gunnink asked if Murray County advertises for the positions. Thiner stated the county did last time and there were no applicants. The SMOC Board is made up of 1/3 elected officials, 1/3 business owners and 1/3 income based. Gunnink suggested that the new Executive Director reach out to UCAP to find out what their process is for obtaining committee members.

McDonald advised the board that the county pays the per diems of the commissioners on the SMOC board and the rest of the board is paid directly from SMOC. Therefore, it would not be the responsibility of Murray County to pursue someone outside of the County appointed boards. Malone suggested checking with HeadStart as they have income requirements and suggested that it might be a good place to start.

The meeting was recessed at 10:55 a.m.

The meeting came back into session at 12:59 p.m.

### **UNION NEGOTIATIONS FOR LELS DEPUTY SHERIFF**

Business Agent Timothy Jeanetta, and union stewards Jarrod Larson and Devin Gillette led the discussion of the LELS Deputy Sheriff Contract Negotiation counter proposal.

Business Agent Jennetta provided the Unions Responses and proposals for today's meeting as follows:

Anything in black was discussed at prior meetings, anything in blue is new for the 1/16/2024 meeting.

- 1. Article #30 Duration: The Union is proposing a two (2) year contract for 2024, 2025.**
  - a. The union is proposing a 3-year contract with a wage reopener for the years 2025 and 2026 if the wages fall below average.
- 2. Article #20 Wages/Appendix A:**
  - a. 2024 – 4% general wage increase and a 11% market adjustment
  - b. 2025 – 4% general wage increase and a 4% market adjustment
    - i. The Union Holds.
- 3. Article # 19 Insurance: The Union is proposing the following:**
  - a. Continue the same health care language for 2024-2025 that is agreed upon with the other units, with a “me too” is any other bargaining unit receives a better agreement.
  - b. TA on insurance 11/28/2023
- 4. The Union is proposing longevity pay per the following:**
  - a. 5 years – 2%
  - b. 10 years – 3%
  - c. 15 years – 4 %
  - d. 20 years – 5%

- e. 25 + years – 6%
5. **Article #27 Training:** Currently there is a contradiction in our contract. The contradiction is with article 27.1 and Article 11.1. The union is proposing to eliminate 27.1 of the training section of the contract.
- a. ~~27.1 An employee attending approved schooling or training on the Employee's scheduled day off will receive straight time at the Employee's regular rate of pay for all hours attending such a course.~~
  - b. 11.1 Employees will be compensated at one and one-half (1-1/2) times the employee's regular base rate of pay for hours work in excess of a regularly scheduled shift. All overtime will be authorized in advance, except in an emergency situation. Changes in shifts do not qualify an employee for overtime under this article.
    - i. The union wants to hold a discussion on FLSA overtime laws.
6. **Article 27 Training: The Union is proposing the following**
- a. Employees designated by the Sheriff to be a Training instructor for any trainings approved by the training will receive an additional \$2.00 per hour for each hour actually working in the capacity of a Training Instructor.
  - b. This is no different than the language of FTO Pay. Currently the Sheriff's Office charges outside agencies \$125.00 per person attending these trainings. (e.g. Slayton PD and Fulda PD)
7. **Article 5 Union Security; the union is proposing the following:**
- a. The board agrees to permit the negotiating or grievance committee of not more than three to appear at all negotiating or grievance meetings with the Board in negotiations or disputes without the loss of pay.
8. **New Language: The Union proposes the following:**
- a. When a member of the union is appointed to the Commander position of the Buffalo Ridge Drug and Violent Crime Task Force (with approval of the BRDVCTF Board and MCSO) they will be paid \$3.00 per hour above their hourly wage.
    - i. The Task Force Board approved an extra \$14,332.84 to be reimbursed to the county who hosts the commander position yearly. With the \$3.00 per hour raise, times the 2080 hours worked a year is only \$6,200.0. So, there is room to cover any overtime.

Labor Attorney Edison went over the previous Tentative Agreement (TA) items from previous meetings.

- TA on maintaining the status quo for insurance language in the contract
- TA on the proposal on the MOA about policy numbers in the contract,
- TA on the counties plans for ESST Compliance.
- There was a brief discussion on comp time and pay out for tax purposes.

**CLOSED SESSION FOR LABOR NEGOTIATIONS STRATEGY**

1:39 p.m. It was moved by Welgraven, seconded by Thiner to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03. Motion Passed.

Commissioners Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Human Resources Director Charlotte Seager, and Labor Attorney John Eddison.

2:34 p.m. It was moved by Thiner, seconded by Welgraven to come out of closed session. Motion Passed.

## **UNION NEGOTIATIONS FOR LELS DEPUTY SHERIFF**

Business Agent Timothy Jeanetta, and union stewards Jarrod Larson and Devin Gillette led the discussion of the LELS Deputy Sheriff Contract Negotiation responses and proposals.

Labor Attorney John Eddison provided the Counties Responses and proposals for today's meeting as follows:

### **I. Responses to Union proposals**

- 1. The County proposes a three-year contract, consistent with past practice and the terms of other CBAs. The County is not interested in reopener language.**
- 2. See wages counter below. The County is not interested in adding longevity pay.**
- 3. The County proposes to maintain the current CBA language regarding health insurance. TA on 12/7/2023.**
- 4. The County proposes to modify Section 27.1 as follows:**
  - a. 27.1 An employee attending approved schooling of training on the Employee's scheduled day off will receive straight time at the Employee's regular rate of pay for all hours attending such a course. Overtime for an Employee's attending schooling or training on a scheduled day off will be paid only to extent required by law.
- 5. The County Proposes the following as a new Section 27.4:**
  - a. 27.4 Employees designated by the Sheriff to be a Training instructor for use of force, firearms, or taser trainings approved by the Sheriff and required for P.O.S.T. licensure will be paid a stipend of \$25 per day for each day on which they provide training.
- 6. The County is not interested in the Union's proposed additional language for Article 5 (Union Security).**
- 7. The County is not interested in the Union's proposed \$3/hr. differential for the task force commander position.**

### **II. County Proposals**

- 1. The County proposes a three-year agreement with dates updated as appropriate.**
- 2. Delete Section 11.5 and modify Section 11.4 as follows:**
  - a. No employee may accrue compensatory time in excess of 160 hours. No employee may carry over more than 80 hours of compensatory time into the following year. An employee's accrued compensatory time exceeding 80 hours at the end of the calendar year will be paid out to the employee.



**3. Wages:**

- a. Year 1 – 5% to each step and grade on salary schedule
- b. Year 2 – 5% to each step and grade on salary schedule
- c. Year 3 – 5% to each step and grade on salary schedule
- d. Update dates on Appendix A as appropriate.
- e. The County will use DDA’s formula to apply the 5% increase.

**4. Develop and execute separate MOA addressing policy numbers with terms including the following:**

- a. Union recognizes County is updating policies in a way that will result in renumbering.
- b. Union agrees new policy numbers will apply upon final Board approval of policy changes; and
- c. The parties agree to update policy number references in CBA to new numbering when the next CBA is negotiated.
  - i. **Note:** The County is in the process of updating and renumbering its policies. These updates are not expected to be presented to the Board for approval until early 2024. **TA on 12/7/2023.**

**5. ESST Compliance - TA on County proposed policy on 12/7/2023.**

The meeting recessed at 2:44 p.m.

The meeting came back into session at 3:15 p.m.

**UNION NEGOTIATIONS FOR LELS DEPUTY SHERIFF**

Business Agent Timothy Jeanetta, and union stewards Jarrod Larson and Devin Gillette led the discussion of the LELS Deputy Sheriff Contract Negotiation counter proposal.

Business Agent Jennetta provided the Unions Responses to the Counties proposals and responses as follows:

**Responses to Counties response to the Union Proposals**

- 1. The Union chooses to TA the contract proposal with no reopener language.
- 2. The Union chooses TA wages and to hold on longevity pay proposal.
- 3. The Union chooses to continue the TA on the health insurance language.
- 4. The Union chooses to TA the modification to Section 27.1.
- 5. The Union chooses to TA adding 27.4 as a new section.
- 6. The Union chooses to hold on Union security.
- 7. The Union chooses to hold on the \$3/hr differential to the task force commander.

**Responses to Counties Proposals**

- 1. The Union chooses to TA the contract proposal with no reopener language.
- 2. The Union chose to caucus about this proposal.
- 3. The Union chooses to TA the wages offered by the county.
- 4. The Union chooses to TA the separate MOA addressing policy numbers.
- 5. The Union chooses to TA on the ESST compliance.

**3:36 pm. It was moved by Meier, seconded by Thiner to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03. Motion Passed.**

Commissioners, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Human Resources Director Charlotte Seager, and Labor Attorney John Edison.

**4:03 p.m. It was moved by Meier, seconded by Thiner to come out of closed session. Motion Passed.**

Business Agent Timothy Jeanetta, and union stewards Jarrod Larson and Devin Gillette led the discussion of the LELS Deputy Sheriff Contract Negotiation counter proposal.

Business Agent Jennetta provided the Unions Responses to the Counties proposals and responses as follows:

From the Counties responses to the Union Proposals the Union has decided not to concede on items #2 (longevity pay) and #7 (BRDVCTF Commander) and on the Counties proposals they agree to item #2 (compensatory time)

**4:12 p.m. It was moved by Meier, seconded by Welgraven to go into closed session for Labor Negotiations Strategy pursuant to Minnesota Statute 13D.03. Motion Passed.**

Commissioners, Jackie Meier, Dennis Welgraven, and David Thiner. Also present in person, County Administrator Carolyn McDonald, Human Resources Director Charlotte Seager, and Labor Attorney John Edison.

**4:16 p.m. It was moved by Welgraven, seconded by Meier to come out of closed session. Motion Passed.**

Business Agent Timothy Jeanetta, and union stewards Jarrod Larson and Devin Gillette let the discussion the LELS Deputy Sheriff Contract Negotiation counter proposal.

The Union has agreed to dump item #6 (union security), accept item #2 (compensatory time) if they can have a discussion on item #2 (longevity pay) or item #7 (BRDVCTF Commander).

It was determined that it would be best to call the meeting for the day due to the time of the day. Next meeting to be determined.

The meeting adjourned at 4:23 p.m.

ATTEST:

---

Carolyn McDonald, County Administrator

---

Jackie Meier, Board Chair