

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
May 7, 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: County Administrator Carolyn McDonald, General Assistant Emily Ackerman, and County Attorney Travis Smith.

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

The Board Chair asked if there were any conflicts of interest, none were identified.

CONSENT AGENDA:

1. Approve the April 16, 2024, Meeting Minutes.
2. Approve the April 23, 2024, Meeting Special Meeting Minutes.
3. Approve the Commissioner Warrants dated 05/07/2024 for the amount of \$83,743.05 numbered 174121 through 174181.

It was moved by Malone, seconded by Welgraven, to approve the consent agenda. Motion passed.

PUBLIC COMMENT FOR THE SHERIFF’S OFFICE NEW BODY CAMERA POLICY

8:31 a.m. The Chairwoman called the Public Comment Hearing for the Sheriffs Office Body Camera Policy.

8:32 a.m. The public hearing was opened for comment. No members of the public commented.

8:38 a.m. Public Comment Closed.

4.1.1 – DITCH BILLS

It was moved by Welgraven, seconded by Gunnink, to approve the report of bills for payment of the Murray County Drainage Authority. Motion passed.

Johnson Ditching, Inc

21-719-6290	CD 46	469.13	#2024-11	ok'd by T. Radke 4/18/2024
21-719-6290	CD 46	<u>1,747.00</u>	#2024-11	ok'd by T. Radke 4/29/2024
	Subtotal	<u>2,216.13</u>		

Murray County Highway Department (for Right of Way Permit)

21-829-6286	JD 14	<u>50.00</u>	#2024-010	ok'd by T. Radke 4/24/2024
	Subtotal	<u>50.00</u>		

Total Ditch Bills 2,266.13

4.1.2 SET SPECIAL MEETINGS FOR 2025 BUDGET REVIEWS

It was moved by Gunnink, seconded by Meier, to passed to set a special meeting for July 10th and July 12th if needed beginning at 8:30 a.m. to conduct the 2025 departmental budget reviews. Motion Passed.

4.2.1 – BAVARIA SOLAR, LLC CUP 2ND EXTENSION

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 requested a one-year extension of the CUP to construct and begin operation of the Solar Garden by June 7, 2024.

Now, United Renewable Energy is requesting an additional 6-month extension of the CUP to construct and begin operation of the Solar Garden by December 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 1MW Community Solar Garden in the Agriculture District.

It was moved by Gunnink, seconded by Malone, to approve an additional 6-month extension of the Bavaria Solar LLC Conditional Use Permit #1400 in the NE1/4, Section 20, Leeds Township for United Renewable Energy" to commence with construction by December 7, 2024. Motion Passed.

4.2.2 – EESOLAR24, LLC CUP EXTENSION

A Public Hearing was held for the conditional use permit on July 20, 2023, by the Murray County Planning Commission, and was approved by the Murray County Board of Commissioners (County Board) at their meeting on August 1, 2023.

Due to factors out of their control, EESolar24, LLC is requesting an eighteen-month extension of the CUP to construct and begin operation of the Solar Garden by February 1, 2026.

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

EESolar24, LLC - Jensen CUP
NE1/4 NE1/4, Section 21, Slayton Township
CUP # 1411
Construct and operate a 1MW Community Solar Garden in the Rural Residential District.

It was moved by Malone, seconded by Gunnink, to approve an 18-month extension of the EESolar24, LLC Conditional Use Permit #1411 in the NE1/4 NE1/4, Section 21, Slayton Township for EESolar24, LLC to commence with construction by February 1, 2026. Motion Passed.

4.2.3 – RANDALL SMITH CONDITIONAL USE PERMIT

The Public Hearing was held by the Murray County Planning Commission April 18, 2024, for this conditional use permit application.

Approval of Planning Commission's recommendation on the following Conditional Use Permit Application:

Randall Smith
Lot 25, Block 4 & Part of Vacated Road, Forman Acres, Section 6, Murray Township,
Murray County
CUP #1418
To use an alternative elevation method to elevate a structure in the Flood Fringe District of Lake Shetek.

It was moved by Welgraven, seconded by Gunnink, to approve Conditional Use Permit #1418 for Randall Smith to use an alternative elevation method to elevate a structure in the Flood Fringe District of Lake Shetek for Lot 25, Block 4 & Part of Vacated Road, Forman Acres, Section 6, Murray Township, Murray County with the findings and two (2) special conditions recommended by the Planning Commission. Motion Passed.

4.4.3 – HARVEY & CAROLYN LARSON CONDITIONAL USE PERMIT

The Public Hearing was held by the Murray County Planning Commission April 18, 2024, for this conditional use permit application.

Approval of Planning Commission's recommendation on the following Conditional Use Permit Application:

Harvey & Carolyn Larson
Lot 9, Block 1, West Shore Acres, Section 30, Shetek Township, Murray County
CUP #1417
To repair an existing shoreline by constructing retaining walls that will exceed 4 feet in cumulative height on Lake Shetek, a General Development Lake.

It was moved by Thiner, seconded by Welgraven, to approve Conditional Use Permit #1417 for Harvey & Carolyn Larson to repair an existing shoreline by constructing retaining walls that will exceed 4 feet in cumulative height on Lake Shetek, a General Development Lake, for Lot 9, Block 1, West Shore Acres, Section 30, Shetek Township. Murray County with the findings and three (3) special conditions recommended by the Planning Commission. Motion Passed.

4.4.5 – EESOLAR28, LLC CONDITIONAL USE PERMIT

The Public Hearing was held by the Murray County Planning Commission April 18, 2024, for this conditional use permit application.

Approval of Planning Commission's recommendation on the following Conditional Use Permit Application:

EESolar28, LLC
N1/2 SW1/4, Section 10, Slayton Township, Murray County
CUP #1416
To construct and operate a 1MW Community Solar Garden in the Rural Residential District.

It was moved by Thiner, seconded by Malone, to approve Conditional Use Permit #1416 for EESolar28, LLC to construct and operate a 1 MW Community Solar Garden in the Rural Residential District, in the N1/2 SW1/4, Section 10, Slayton Township, Murray County with the findings and eleven (11) special conditions recommended by the Planning Commission. Motion Passed.

4.3.1 – ARPA COMMITTEE REPORT

The ARPA committee met on April 22, 2024 and recommends the following for approval:

Project #	Category	Project Name	Amount Requested	Date Presented	Approved
23	Miscellaneous	<i>Safety Improvement to Sheriff's Office Entrance</i>	\$15,000.00	5/7/2024	
<p>This project is to make safety improvements to the entrance of the Sheriff's Office as well as replacing sections of the sidewalks and the curb and ADA ramp adjacent to the Sheriff's Office. The committee recommended amount is up to \$15,000</p>					
24	Miscellaneous	<i>Lighting in Government Center Lobby</i>	\$2,475.87	5/7/2024	
<p>This project is to install Wafer LED downlights to the Government Center lobby to provide more lighting on overcast days and when the lobby is used after hours for meetings.</p>					
25	Miscellaneous	<i>New Range/Griddle for 4H Bldg. on Fairgrounds</i>	\$7,900.00	5/7/2024	
<p>This project is to replace the range/griddle in the 4H Building on the Fairgrounds. The current model is 20 years old and original to the building. Repairs were becoming more frequent among other safety concerns. The Safety Committee recommended the project be vetted by the ARPA committee and brought to the Board.</p>					
26	Miscellaneous	<i>CivicPlus Agenda Software</i>	\$38,393.50	5/7/2024	
<p>This project is to purchase a new software from CivicPlus for Board Agenda Management. This enables departments to input agenda items and documentation as well as provide enhanced website functionality and search options for board minutes. The software can be used by other departments that put together agenda for committees. The total cost is the implementation (\$13,627.50 for 2024 implementation; \$12,200 for 2025 software agreement; \$12,566 for 2026 software agreement). Future ongoing costs: There will be ongoing annual software agreement costs for 2027 and beyond.</p>					

27	Miscellaneous	College Leadership Program-Department	\$24,500.00	5/7/2024	
This project is to provide department head leadership training through Ridgewater College. This will be a benefit to all department heads, especially the eight new department heads. The program would likely begin in the fall of 2024.					
28	Miscellaneous	College Leadership Program-Board Members	\$19,800.00	5/7/2024	
This project is to provide Commissioner and MCMC Board Member leadership training through Ridgewater College. The program would begin after January, 2025.					

It was moved by Gunnink, seconded by Malone, to approve expenditures to be paid from the Murray County American Rescue Plan Act (ARPA) funds as follows: \$15,000 for Safety Improvement to the Sheriffs Office Entry, \$2,475.87 for upgrading the lighting in the Government Center for night meetings and overcast days, \$7,900 for a new range/griddle in the 4-H building on the fairgrounds, \$38,393.50 for CivicPlus Agenda Software for the use of Board Agenda Management, \$24,500 be used for a Department Leadership program through Ridgewater College, \$19,800 to be used for Commissioners and MCMC Board Leadership development through Ridgewater College. Motion Passed.

4.4.1 – HOSPITAL UPDATE

People

- Physician Hiring – Dr. Lawrence Sanchez has signed on to become a part of the MCMC provider team.
- Physician Hiring – Dr Goldammer has signed on to be a permanent provider at MCMC. We will be transitioning his credentialing over from his locum position in the next 30 days.
- Marketing Director – The Hospital is also excited to announce the hiring of Briana Solheim as the next Marketing Director here at MCMC. She will be making the transition to her new role over the next couple of months.

Quality

- Trauma Site Survey – MDH completed their site survey on Tuesday, April 23rd. There were 3 survey team members. They should receive the final report at the end of May.
- Attended the MN Hospital Association Leadership Institute in April. Many of the sessions involved technology and the use of AI in healthcare.

Financials

- Change Healthcare / Assurance Cyber Incident – The situation has been resolved and they have been able to reconnect to the system. They have begun to work through the backlog of remits and submitting claims.
- Annual audit with CLA starting April 22nd. All preliminary work will be completed off-site and virtually this year for the audit.
- Legislation – April 19th was the deadline for budget bills to finish work in committees. Session is scheduled to be completed on May 20th.

Community

- Held the program at the Kiwanis meeting on April 3rd. Dan Woldt and Melanie Behrends were Luke's guests for the program. They had the opportunity to introduce themselves and further explain their clinic practices here at MCMC.
- Communication Healthcare Provider Collaboration – They will be hosting our second meeting in May. Will continue to focus on areas to improve healthcare for our community and find ways to better partner to meet those community needs.
- MCMC Scholarships - They will be presenting a healthcare scholarship to students of Murray County Central and Fulda High School in May. All funds for the scholarships are raised with our Jeans for Scholars program here at MCMC.

Statistics

A great overall first quarter of 2024!

- Acute - 16 admissions for 70 total patient days. YTD that is 20 more admissions and 79 more patient days than 2023.
- Swing - 4 admits for 34 total patient days. 7 less admissions and 25 less patient days compared to 2023.
- Observation stays were at 12 patients compared to 11 last year. YTD they are down 3 total.
- Surgery procedures were at 22 for the month compared to 22 the previous year. YTD they are +26. Great start for Ortho and Ophthalmology!
- ER visits were 146. YTD, they have seen 102 more patients in the ER compared to 2023.
- Clinic visits were 700. YTD they are at 2085 and 226 ahead of 2023.

Balance Sheet

- Our overall cash position decreased by **\$495,309**. They currently have a total cash available of **\$8,568,704**. Decrease caused by the Change Healthcare Cyber Incident.
- They saw an increase in patient receivables of **\$1,741,631** and total receivables is at **\$9,158,532**.
 - o Net Patient Receivables (Amount we expect to collect) = **49.6% or \$4,546,366**.
 - o AR Days increased 24.5 days and currently sits at **109** days. Goal is to be under **50** days.

Income Statement

- Gross revenue was \$2,697,427 & ahead of budget by **\$103,064**.
 - o Hospital IP revenue above budget by **\$73,125**.
 - o Hospital OP revenue below budget by **\$29,091**.
 - o Clinic revenue above budget by **\$58,756**.
- Contractual adjustments higher than budget by **\$59,957**.
- Expenses lower than budget by **\$33,547**.
- EBIDA (Earnings before interest, depreciation, and amortization) = **\$131,058**.
- For the month they had a positive net income equal to **\$52,457**.

4.5.1 – CIVIC PLUS AGENDA MANAGEMENT SOFTWARE

CivicPlus' Agenda & Meeting Management Select software is the fastest, most intuitive way to streamline the entire agenda management process from creating agenda items to managing live meetings. It provides time-saving automation while allowing clerks to balance these

conveniences with manual controls and overrides. Internal collaboration with Select is easy with customized workflows, version tracking, and built-in communication tools.

Additionally, CivicPlus offers secure cloud-based hosting, unlimited users and storage, an interactive meeting tool as well as a Public Resident Portal. Agenda & Meeting Management Select automatically indexes published meeting content with Board Portal functionality, so it is easy for officials to find information quickly. The full-text search tool empowers officials to locate past items, attachments, minutes, and agendas by searching a keyword, date range, and more through the Public Portal. A minute’s tab within the Board Portal allows officials to see the motions, votes, and any comment or discussion on the item that was recorded in the meeting minutes in an intuitive display, preventing a manual search through full minutes documents.

Megan Poole, an Account Executive and Stephen French a solutions engineer from CivicPlus will provide the board with a brief presentation of the functionality of Agenda & Meeting Management Select software. Stephen French, a Solutions Engineer from CivicPlus, will demonstrate the automated preparation of pre-meeting tools to the simplified sharing capabilities post-meeting and Public Resident Portal.

Initial Term	\$13,627.50
Year 2 subscription fees	\$12,566.00
Year 3 subscription fees	\$12,942.98
Total cost for 3-years	\$39,136.48

It was moved by Gunnink, seconded by Malone, to approve and authorize County Administrator Carolyn McDonald to sign the 3-year agreement with CivicPlus. Motion Passed.

The meeting recessed at 9:34 a.m.

The meeting came back into session at 9:39 a.m.

4.6.1 – SUNDQUIST PARK CAMPSITE ELECTRIC

At the April 16, 2024 board meeting Justin was given direction to go get a couple quotes for labor to install electric to the new campsites that were installed at Sundquist Park on West Lake Sarah. The sites have been constructed and two quotes obtained from Engelkes Electric and Mears Electric. Justin has talked to both electricians and told them we would like the work done by July 1st so the sites can be utilized for the 4th of July weekend.

	Engelkes Electric	Mears Electric
Budget Summary for:	01-521-523-6622	01-521-523-6622 (moved from 01-521-523-6610)
Budget Summary for:	01-521-523-6391	01-521-523-6391 Hwy Department Charges
Budgeted in 2024:	27,000.00	27,000.00
2024 YTD Expenditures:	<u>(9,946.00)</u>	<u>(9,946.00)</u> (for Hwy Dept Charges)
Balance Available:	17,054.00	17,054.00
Electrical	<u>15,000.00</u>	<u>18,000.00</u>
2024 Budget Balance (if Approved)	<u>2,054.00</u>	<u>(946.00)</u>

It was moved by Gunnink, seconded by Meier, to approve Engelkes Electric to install new electrical pedestals at Sundquist Park on West Lake Sarah in the amount of \$15,000. Motion Passed.

4.7.1 – EMERGENCY MANAGEMENT UPDATE

The purpose of this agenda item is to provide an Emergency Management Department Update, including a list of cash, in-kind and training grants received from 2019-2024.

Federal Grants-MN State Homeland Security Emergency Management (HSEM) STATUS

500.00	2022 GRAIN BIN RESCUE EQUIP GRANT	Received
17,576.00	2019-Emergency Management Performance Grant (EMPG)	Received
17,474.00	2020-Emergency Management Performance Grant (EMPG)	Received
17,293.00	2021-Emergency Management Performance Grant (EMPG)	Received
44,000.00	2022-Emergency Management Performance Grant (EMPG)-additional	Received
21,740.00	2022-Emergency Management Performance Grant (EMPG)	Received
118,583.00	Total Cash Grants	

Reimbursement Grant

28,269.00	Seven Mile Park Siren	Approved 8/8/2025
28,269.00	Total Reimbursement Grants	

In-Kind Grants (Services or Equipment in lieu of cash)

146,000.00	Lake Shetek Hydrology Update	Pending	*est. Oct 2024
122,000.00	Upper Des Moines River Resiliency and Emergency Planning	Pending	*est. Oct 2024
24,000.00	Drone Program	Pending	*est. Summer 2024
400,030.95	Portable Radios - Area Fire Departments	Pending	*est. Sept. 2024
81,000.00	AED Equipment Received for First Responders and Public Areas	Received	January, 2023
773,030.95	Total In-Kind Grants		

Training Grants for First Responders

10,500.00	Currie Fire - Grain Bin Rescue	Received	November, 2022
5,000.00	Lake Wilson First Responders	Received	Spring, 2023
15,500.00	Total Training Grants		

935,382.95 Total Cash, In-Kind and Training Grants 2019-2024

As of 5/6/2024 the drone program grant had been received and was brought to the board for approval. The board advised to bring the agreement back on 5/21/2024 to provide them more time to review the agreement.

4.8.1 – ADOPT STATE AID VARIANCE REQUEST RESOLUTION FOR PROJECT SAP 051-613-006

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

RESOLUTION NO. 2024-05-07-01
 A resolution requesting a variance from standard for
 State Aid Operation for Project No SAP 051-613-006.

WHEREAS, Murray County is preparing plans for improvements along CSAH 13 to widen the roadway to meet current minimum safety standards, raise the roadway to maintain accessibility during large flood events and provide shared use paths to facilitate recreational activities. The project begins at the intersection with TH 59 and extends to the eastern limit of CSAH 13, and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9920 require the completed project to satisfy a minimum design speed of 40 mph; and

WHEREAS, the reasons for this variance request are based on the following significant impacts to adjacent interests:

1. Satisfying a minimum 40-mph horizontal design speed would require significant realignment and right of way acquisition. Adjacent property owners would not be supportive of selling the right of way required for the realignment. Eminent domain proceedings are not desirable.
2. MnDNR has expressed concerns about the environmental impact of the amount of fill into Lake Shetek and wants it to be minimized as much as possible. Therefore, the MnDNR will not be in favor of a realignment that has a much greater impact on Lake Shetek.
3. There is no evidence that the existing substandard horizontal roadway alignment has been a contributing factor of the road accidents as there are no reported crashes in the vicinity of any of the horizontal curves.
4. Satisfying a minimum 40 mph design speed may increase the speed of motorists causing safety issues for pedestrians/recreational users. CSAH 13 is a highly used corridor for walking, bicycling, golf carts, and fishing. Motorists are forced to travel at slower speeds because of the current horizontal geometry and posted speed limits.
5. The cost to reconstruct the roadway to meet a minimum 40 mph horizontal geometry would be significant and would not satisfy the benefit-cost relationship for the project needs.

NOW, THEREFORE BE IT RESOLVED, that the Murray County Board of Commissioners does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9920 (Minimum Design Standards; Rural and Suburban Undivided; New or Reconstruction Projects) to allow the approach roadway horizontal alignment geometrics to be designed with segments meeting a 30 mph design speed and 20 mph matching the posted speed limits in lieu of a minimum design speed standard of greater than or equal to 40 mph;

BE IT FURTHER RESOLVED, that the Murray County Board of Commissioners hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions or causes of action arising out of or by reason of (this variance for improvements to CSAH 13) in accordance with Minnesota Rules 8820.9920 and further agrees

to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of granting this variance.

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

4.8.2 – APPROVE CONSTRUCTION CONTRACT FOR 2024 MAINTENANCE STRIPING PROJECT CP 01-24

It was moved by Welgraven, seconded by Gunnink, to approve and sign the construction contract with Fahrner Asphalt Sealers, LLC for the 2024 maintenance striping project CP 01-24. Motion Passed.

4.9.1 – DITCH INSPECTION REPORT

It was moved by Welgraven, seconded by Gunnink, 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

- CD68 / Nobles Electric Parking Lot
- Petition 2024-010 (JD 14, Leeds Twp. Sec.11, District 2–Gunnink)
- Petition 2024-011 (CD 46, Leeds Twp. Sec.9, District 2–Gunnink)
- Petition 2024-012 (CD 27, Mason Twp. Sec.35, District 1–Malone)
- Petition 2024-013 (JD 2, Lime Lake Twp. Sec.22, District 3–Welgraven)
- Petition 2024-014 (JD 3, Holly Twp. Sec.23, District 1–Malone)
- Petition 2024-015 (CD 77, Holly Twp. Sec.24, District 1–Malone)
- Petition 2024-016 (CD 42, Des Moines River Twp. Sec.32, District 1–Malone)

COMMITTEE REPORTS FOR THE PERIOD OF APRIL 14 – 27, 2024

Malone

4/16/24 Commissioner Meeting

4/24/24 MCMC Board

Gunnink

4/16/24 Commissioner Meeting

4/17/24 Cottonwood 1W1P, PCL Gov. Board Meeting,

4/18/24 Parks Board Meeting

Meier

4/16/24 Commissioner Meeting

4/17/24 SWHHS

4/22/24 ARPA

4/23/24 Mediation

4/24/24 Hospital Board
4/25/24 ACE Annual Meeting

Welgraven

4/16/24 Commissioner Meeting
4/17/24 SWHHS personnel, collaboration meeting

4/22/24 SWHHS, WMH Strategic Planning
4/23/24 Mediation

Thiner

4/16/24 Commissioner Meeting
4/18/24 Des Moines Watershed, Parks, Planning & Zoning

4/22/24 SMOC
4/25/24 Building Committee

It was moved by Thiner, seconded by Gunnink, to amend the minutes from 4/16/2024 to remove the background information from the minutes for the closed session on the Highway 30 discussion. Motion Passed.

The meeting was adjourned at 10:24 a.m.

ATTEST:

Carolyn McDonald, County Administrator

Jackie Meier, Board Chair