

PROCEEDINGS OF THE MURRAY COUNTY BOARD OF COMMISSIONERS MURRAY
COUNTY GOVERNMENT CENTER – SLAYTON, MINNESOTA
June 4, 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.

The Board Chair asked if there were any additions to the agenda, County Administrator McDonald added the Collective Bargaining Agreement for the LELS Dispatcher/Jailer Group.

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

CONSENT AGENDA:

1. Approve the May 21, 2024, Meeting Minutes.
2. Approve the Commissioner Warrants dated 06/04/2024 for the amount of \$61,330.05 numbered 174415 through 174454.

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

4.1.1 – DITCH BILLS

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

Shannon Cohrs (Beaver Trapping)

21-757-6293	CD 65	<u>300.00</u>	#2023-042	(4)-ok'd by T. Radke 5-28-2024
	Subtotal	<u>300.00</u>		

Prairie View Farms, LLC

21-707-6290	CD 42	<u>16,316.51</u>	#2024-016	ok'd by T. Radke 5-17-2024
	Subtotal	<u>16,316.51</u>		

Total Ditch Bills 16,616.51

4.1.2 – AMENDED ORDER TO APPOINT VIEWERS – GROUP 3 ROB

The Board approved an order appointing viewers for the Group 3 Redetermination of Benefits on July 27, 2021. One of the viewers, Bryan Murphy, has since moved out of state and is no longer qualified. This is remedied by filing an amended order.

STATE OF MINNESOTA
MURRAY COUNTY BOARD OF COMMISSIONERS
SITTING AS THE DRAINAGE AUTHORITY FOR
MURRAY COUNTY DITCHES 4, 13, 19, 24, 28, 29, 32, 52, 59, 60, 65, 77, 86, 87, AND 89;
AND

JUDICIAL DITCHES 22, 23, 27, AND 28

In the Matter of the Redetermination of Benefits of Murray County Ditches 4, 13, 19, 24, 28, 29, 32, 52, 59, 60, 65, 77, 86, 87, and 89; and Judicial Ditches 22, 23, 27, and 28	AMENDMENT TO FINDINGS AND ORDER APPOINTING VIEWERS
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The Murray County Board of Commissioners, sitting as the drainage authority for County Ditches 4, 13, 19, 24, 28, 29, 32, 52, 59, 60, 65, 77, 86, 87, and 89; and Judicial Ditches 22, 23, 27, and 28, pursuant to Minn. Stat. § 103E.351, met to consider the status of the various proceedings. Based on the record, Commissioner Thiner moved, seconded by Commissioner Welgraven, to adopt the following Findings and Order:

Findings:

1. The Murray County Board of Commissioners (“Drainage Authority”) is the drainage authority for County Ditches 4, 13, 19, 24, 28, 29, 32, 52, 59, 60, 65, 77, 86, 87, and 89; and Judicial Ditches 22, 23, 27, and 28.
2. On July 27, 2021, the Drainage Authority initiated a redetermination of benefits and damages for County Ditches 4, 13, 19, 24, 28, 29, 32, 52, 59, 60, 65, 77, 86, 87, and 89; and Judicial Ditches 22, 23, 27, and 285 pursuant to authority in Minn. Stat. § 103E.351.
3. The Drainage Authority previously appointed H2Over Viewers, LLC members Bryan Murphy, Larry Murphy, and Aaron Goemann as primary viewers and Robert Conely and Kenneth DeGier as alternate viewers for the redetermination of benefits and damages proceedings.
4. Bryan Murphy has disqualified himself as a viewer in these proceedings. It is recommended that Larry Murphy, Aaron Goemann, Ken DeGier, and Robert Conely, members of H2Over Viewers, LLC, remain appointed as viewers in this matter and that Scott Henderson, also a member of H2Over Viewers, LLC, be appointed as an additional viewer in these proceedings.
5. Upon review, it appears that Scott Henderson is a disinterested resident of Minnesota qualified to assess benefits and damages. Scott Henderson and H2Over Viewers meet the Drainage Authority’s qualifications and the requirements of Minn. Stat. § 103E.305 to serve as viewers for the redetermination of benefits and damages on County Ditches 4, 13, 19, 24, 28, 29, 32, 52, 59, 60, 65, 77, 86, 87, and 89; and Judicial Ditches 22, 23, 27, and 28.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for the above-named drainage systems, hereby orders that the previous findings and order initiating redetermination of benefits be amended as follows:

- A. That viewers Larry Murphy, Scott Henderson, Aaron Goemann and Ken DeGier be appointed/reappointed as viewers in these proceedings to redetermine and report the benefits and damages for the above-named drainage systems.
- B. The Auditor-Treasurer is directed to issue a supplemental order directing the viewers to qualify and return new/updated oaths.

After discussion, the Board Chair called the question. The question was on the adoption of the

foregoing findings and order, and there were 5 yeas, 0 nays, 0 absent, and 0 abstentions as follows:

	Yea	Nay	Absent	Abstain
MALONE	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GUNNINK	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WELGRAVEN	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEIER	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
THINER	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

4.2.1 - DITCH INSPECTION REPORT

A motion was made by Gunnink, seconded by Meier 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 2024-022 (CD 40, Bondin Twp. Sec.24, District 5–Thiner)*
- *Petition 2024-023 (CD 80, Bondin Twp. Sec.28, District 5–Thiner)*
- *Petition 2024-024 (CD 57, Chanarambie Twp. Sec.11, District 2–Gunnink)*
- *Petition 2024-025 (CD 75, Leeds Twp. Sec.24, District 2–Gunnink)*

4.3.1 – EXTENSION UPDATE

Bonnie Christiansen from the University of Minnesota Extension Office along with Kim Hause Murray County 4-H Youth Development Educator, Melissa Runck A&R Ag production supervisor along with her Summer Intern, and Extension Support Staff Mallory Vos provided an update on all of the Extension and 4-H Projects in Murray County.

4.4.1 – HOSPITAL UPDATE

People

- **ER Provider Position** – The Hospital has filled the open ER provider position. Paige Freeman and Jennifer Hillestad will be partnering to fill the role. Paige will also continue in her clinic role and Jennifer will continue in her wound care clinic role moving forward.
- **CRNA** – I am happy to report that Emmie Lolkus has begun classes to obtain her CRNA certification. She is in a 3-year program through Mount Marty College in Yankton, SD with an anticipated graduation in 2027.

Quality

- **Trauma Recertification** – Received notice on May 23rd that the Applicant Review Committee (ARC) has recommended designation to the State Trauma Advisory Council (STAC) for our Level 4 Trauma Hospital designation status. STAC will be meeting on June 4th.

Growth

- **Chronic Care Management** – They have been evaluating additional CCM services in partnership with a potential vendor. Goal of the program is to enhance care coordination and improve overall patient outcomes within our communities.
- **OB/GYN Outreach Provider** – They held an initial tour and interview with a provider that is potentially interested in providing outreach GYN services here at MCMC. The service would be similar to the other outreaches here at MCMC on a regular monthly basis.
- **IHC Tele-behavioral health** – They have made the decision to not renew our contract with IHC. They have had difficulty with staff licensed in the State of MN. They are currently looking at alternative options for this service line to best meet the needs of our patients.

Financials

- **Grants** – Unfortunately, MCMC was not selected for the Capital Improvement or Planning and Transition grants from MDH this year. Their grant application for the 2nd round of funding from the SWHHS Opioid Settlement Funding Advisory Council was also not selected this round.
- **Legislation** – Session ended May 20th as scheduled. One win this year was the announcement of \$24 million in appropriated funding for EMS providers.

Community

- **Hospital Week** – MCMC held events the week of May 12th – 18th highlighted by a community open house, 4th grade tours, and an employee award reception.
- **Coffee Shop** – MCMC has partnered with the company that currently runs Embrace Nutrition in Pipestone to re-open the coffee shop. They plan to be open Monday, Wednesday, and Friday each week.

Statistics

- **Acute** - 10 admissions for 28 total patient days. YTD that is 23 more admissions and 92 more patient days than 2023
- **Swing** - 4 admits for 27 total patient days. 7 less admissions and 29 less patient days compared to 2023.
- Observation stays were at 9 patients compared to 19 last year. YTD we are down 13 total
- Surgery procedures were at 30 for the month compared to 23 the previous year. YTD we are +33.
- ER visits were 111. YTD, we have seen 85 more patients in the ER compared to 2023.
- Clinic visits were at 767. YTD we are at 2852 and 294 ahead of 2023.

Balance Sheet

- Our overall cash position increased by **\$111,313**. They currently have total cash available of **\$8,692,151**.
- We saw an increase in patient receivables of **\$16,569** and total receivables is at **\$9,175,101**.
 - Net Patient Receivables (Amount we expect to collect) = **53% or \$4,874,059**.
 - AR Days increased .9 days and currently sits at **109.9** days. Goal is to be under **50** days.

Income Statement

- Gross revenue was \$2,650,848 & ahead of budget by **\$56,212**.
 - Hospital IP revenue below budget by **\$70,525**.

- Hospital OP revenue above budget by **\$127,496.**
- Clinic revenue below budget by **\$759.**
- Contractual adjustments higher than budget by **\$44,880.**
- Expenses higher than budget by **\$33,547.**
- EBIDA (Earnings before interest, depreciation, and amortization) = **\$8,408.**
- For the month we had a negative net income equal to **\$69,189.**

4.5.1 - R.A. MUECKE SAND & GRAVEL IUP

The Public Hearing was held by the Murray County Planning Commission May 16, 2024, for this interim use permit application.

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

Muecke Sand & Gravel, Inc.
 Part of NW1/4, Section 1, Belfast Township, Murray County
 CUP #1419
 To construct and operate a gravel mining operation in the Agriculture District.

It was moved by Welgraven, seconded by Gunnink, to approve Interim Use Permit #1419 for Muecke Sand & Gravel, Inc, to construct and operate a gravel mining operation in the Agriculture District for Part of NW1/4, Section 1, Belfast Township, Murray County with the findings and eight (8) special conditions recommended by the Planning Commission. Motion Passed.

4.5.2 – PELICAN BAY ADDITION DEVELOPMENT CONTRACT

The County Board approved the preliminary plat for Pelican Bay Addition on November 7, 2023. As part of the platting process, a signed development agreement is required for new subdivisions when there are improvements that need to be constructed and would not be completed before the final plat would be approved and recorded.

The enclosed Development Contract for the Pelican Bay Addition has been reviewed by Doug Rupp, Developer, and Ms. Kayla Johnson, Murray County Assistant County Attorney.

Approval of the Pelican Bay Addition Development Contract for the following Plat:

Pelican Bay Addition Preliminary Plat
 66.09 acres in NE1/4, Section 24, Lake Sarah Township, Murray County
 Application #366
 Preliminary Plat for twenty-nine (29) riparian lots and two (2) outlots in the Residential and Shoreland Overlay Districts on Lake Shetek, a General Development Lake.

It was moved by Gunnink, seconded by Malone, to approve the Pelican Bay Addition Development Contract and authorize County Board Chair Jackie Meier and County Administrator Carolyn McDonald to sign on behalf of the County. And further, to authorize County Auditor Heidi Winter to accept either a \$25,000 cash escrow account or \$25,000 performance and payment bond. Motion Passed.

4.6.1 – INTERNSHIP PROGRAM INTRODUCTIONS

Carrie Bendix and Maria Peters from the Southwest Private Industry Council were on hand to introduce six of the seven summer interns hired through the program. Currently six interns have been placed. Four of the current interns were placed in Murray County positions – three at MCMC and one with the Murray County Sheriff’s Office.

4.7.1 – MUSUEM CONSULTANT

Staff requests the Board to consider hiring Janet Timmerman as Museum Grant Consultant through September of 2024. Janet anticipates working approximately 16 to 24 hours per week and would be considered as an independent contractor and not as a county employee. Janet is available through the month of September and can begin work upon Board approval today. Funds for this request will come from the Museum budget. Per staffing shortages over the past year, the budget is well positioned to absorb the consulting cost.

The scope of work will be working with Museum Director Nick Demuth for grant writing and helping to prioritize projects. Work will also be assisting and training the Collections Assistant with cataloging processes. In addition, Janet will work with the Historical Society to establish priorities and direction for the Murray County Museum program.

It was moved by Gunnink, and seconded by Meier, to hire Janet Timmerman as Museum Grant Consultant at \$40.00/hr. not to exceed \$12,000 dollars in 2024. Motion Passed.

4.8.1 – ADOPT A REVISED STATE AID VARIENCE REQUEST RESOLUTION FOR PROJECT SAP 051-613-006

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

RESOLUTION NO. 2024-06-04-01

A Revised 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 except As stated in note (e) of MN Rules 8820.9920, in suburban areas the minimum design speed may be equal to the current legal posted speed where the legal posted speed is 30 mph or greater; and

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

1. Satisfying a minimum 30 mph or 40 mph horizontal design speed would require significant realignment, right of way acquisition and likely relocations. 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 30 mph or 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 30 mph or 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 roadway horizontal alignment and superelevation geometrics to be designed to meet 20 mph from Sta 79+00 (approximately 1.5 miles east of the intersection with TH59) to Sta 106+68 (end of CSAH 13, approximately 2.02 miles east of the intersection with TH59) 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 Welgraven and there upon being put to a vote all members of the Board voted for its adoption.

4.9.1 – HOSPICE CAR SHOW

Hospice of Murray County would like to host a car show at the fairgrounds on July 20th and serve beer and wine coolers.

It was moved by Gunnink, and seconded by Welgraven, to allow Hospice of Murray County to host a car show at the fairgrounds on Saturday, July 20th, and serve beer and wine coolers. Motion Passed.

4.9.2 – SWMN ADULT MENTAL HEALTH CONSORTIUM

The Southwest Minnesota Adult Mental Health Consortium (SMAMHC), an 18 county Joint powers entity, is requesting a funding commitment from each member county to be placed in a restricted fund for the purpose of covering costs during gaps between billing and grant funding. In the event of dissolution, contributed funding would be returned to the county.

Per the attached spreadsheet, Murray County is 2.9% of the total population within the Consortium and is asked to contribute \$22,886 into the restricted fund balance for gap financing support.

The consequences of opting out of being a member of the Consortium will affect the benefits Murray County receives for providers services and county discretionary dollars. If the County chooses to not participate in this JPA, payment for the services for constituents will not come from the consortium and will be the responsibility of Murray County. As an example, the cost of one consumer stay at an Intensive Residential Treatment facility ranges from \$50,000 to \$70,000 for a 90 day stay.

It was moved by Welgraven, and seconded by Thiner, to commit \$22,866 in grand gap funding to the restricted fund balance in 2025 for the Southwest Minnesota Adult Mental Health Consortium. Motion Passed.

4.9.3 – LELS DISPATCHER/JAILER UNION CONTRACT APPROVAL

County Administrator Carolyn McDonald presented the Collective Bargaining Agreement for the LELS Dispatcher/Jailers for approval.

In the past this group has been represented by AFSCME and is now represented by LELS. The agreement is a 3-year contract with a 5% per year increase for 2023, 2024, and 2025, in addition to COLA calculations done by David Drown and Associates. A change in the agreement provides a stipend paid to dispatchers to provide a \$300 uniform allowance. Previous CBA language stated that uniforms were provided by the employer, the group instead requested that this be provided in the form of a stipend, so \$300.00 will go directly to each dispatcher beginning 2025. Also, upcoming numerical changes to the Murray County Employee Policy requires an MOA put in place. The MOA acknowledges that the numbering in the current policy is subject to change. It was also noted that the current ESST policy language could potentially change given what is being interpreted at a legislative level.

It was moved by Gunnink, seconded by Welgraven, to approve the MOA and the Collective Bargaining agreement and authorize County Board Chair Jackie Meier and County Board Vice Chair Molly Malone to sign the agreement. Motion Passed.

COMMITTEE REPORTS FOR THE PERIOD OF MAY 12 – MAY 25, 2024

Malone

5/13/24 SAWS

5/16/24 EDA

5/21/24 Commissioner Meeting

Gunnink

5/13/24 SAWS

5/14/24 Historical Society

5/15/24 Cottonwood 1W1P Meeting

5/21/24 Commissioner Meeting

5/23/24 Fair board Meeting

Meier

5/13/24 Southwest Opioid subcommittee meeting.

5/15/24 SWHHS

5/21/24 Commissioner Meeting

5/22/24 Southwest Mental Health Consortium meeting

5/23/24 Fair board Meeting, District 8 AMC Zoom

Welgraven

5/15/24 SWHHS

5/16/24 EDA, SRDC

5/20/24 WMH

5/21/24 Commissioner Meeting

Thiner

5/16/24 Planning and Zoning

5/20/24 SMOC

5/21/24 Commissioner Meeting

5/22/24 RAC/ECB Radio Board

The meeting adjourned at 9:37 a.m.

ATTEST:

Carolyn McDonald, County Administrator

Jackie Meier, Board Chair