

**WILLMAR MUNICIPAL UTILITIES MINUTES**  
**MUNICIPAL UTILITIES AUDITORIUM**  
**JANUARY 14, 2019**

The Municipal Utilities Commission met in its regular scheduled meeting on Monday, January 14, 2019 at 11:45 a.m. in the Municipal Utilities Auditorium with the following Commissioners present: Carol Laumer, Justin Mattern, Abdirizak Mahboub, Nathan Weber, Bruce DeBlicek, Ross Magnuson and Brendan MacDonald.

Others present at the meeting were: General Manager John Harren, Director of Finance Denise Runge, Customer Service Supervisor Stacy Stien, Power Supply Manager Chris Carlson, Facilities & Maintenance Supervisor Kevin Marti, HR Manager Janell Johnson, Administrative Secretary Beth Mattheisen, City Council Liaison Shawn Mueske, City Attorney Robert Scott (via teleconference), and WC Tribune Journalist Shelby Lindrud.

Commissioner Laumer (President) requested any revisions required to the presented agenda. There being none, Commissioner Laumer next informed the Commission that the first order of business would be the annual election of MUC officers for 2019. Following discussion, Commissioner Mahboub offered a motion to nominate the following Commissioners to serve as officers for 2019: President: Commissioner Carol Laumer; Vice-President: Commissioner Justin Mattern; Secretary: Commissioner Abdirizak Mahboub; and, Treasurer: Commissioner Nathan Weber. Commissioner Weber seconded the motion which carried by a vote of seven ayes and zero nays.

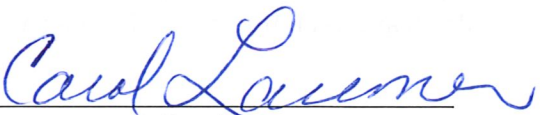
Following the election of officers for 2019, Commissioner Laumer (President) requested a resolution to approve the Consent Agenda. Commissioner Mattern offered a resolution to approve the Consent Agenda as presented. Commissioner Magnuson seconded.

**RESOLUTION NO. 1**


“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Consent Agenda be approved as presented which includes:

- ❖ Minutes from the December 26, 2018 Commission meeting; and,
- ❖ Bills represented by vouchers No. 190001 to No. 190088 and associated wire transfers inclusive in the amount of \$850,421.14.

Dated this 14<sup>th</sup> day of January, 2019.

  
\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary

The foregoing resolution was adopted by a vote of seven ayes and zero nays.

At this time, Commissioner Laumer informed the Commission that a number of annual organizational matters need to be addressed. The first matter would be to establish regular Commission meeting times and site location for the year. Following discussion, Commissioner Mattern made a motion to set the 2019 Municipal Utilities Commission meeting schedule as presented with the meetings to be held on the second and fourth Mondays of each month (unless otherwise designated) at 11:45 a.m. in the Municipal Utilities Auditorium. Commissioner Weber seconded the motion which carried by a vote of seven ayes and zero nays.

The next order of business was to appoint Commission members to serve on the WMU Labor and Planning Committees for 2019. Prior to initiating the appointments, Commissioner Laumer expressed her appreciation to the Committee members for their additional time and efforts required to serve as a member on both the Labor and Planning Committees. Following Commission input, Commissioner Laumer continued by offering a motion to designate Commissioners Weber, Magnuson & Mahboub to serve on the WMU Labor Committee, and Commissioners Mattern, DeBlieck & MacDonald to serve on the WMU Planning Committee. Commissioner MacDonald seconded the motion which carried by a vote of seven ayes and zero nays. (Chair and Vice Chair positions will be designated at the first Committee meetings of the year.)

In conjunction with annual business matters, Director of Finance Runge requested the Commission to approve US Bank as WMU's official depository for 2019 (i.e. daily financial transactions and checking account). Following discussion, Commissioner MacDonald offered a motion to approve US Bank as the official depository for the Willmar Municipal Utilities for 2019. Commissioner Weber seconded the motion which carried by a vote of seven ayes and zero nays.

The second financial order of business was to approve a Letter of Credit for Safekeeping from Heritage Bank as a guarantee of available funding for a specific project. Following review, Commissioner Laumer offered a motion to approve the Letter of Credit for Safekeeping from Heritage Bank for 2019. Commissioner MacDonald seconded the motion which carried by a vote of seven ayes and zero nays.

General Manager Harren informed the Commission that each member of Missouri River Energy Services (MRES) is required to designate a representative and alternate to represent their community at the MRES Annual Meeting and on any matters that may require a vote from the membership. They are to be listed as the main contacts within each community for correspondences and notifications. This is also the same for the designated representative and alternate to the Western Minnesota Municipal Power Agency (WMMPA). Following discussion, Commissioner Mahboub offered a resolution to designate General Manager John Harren as the Representative and Commissioner Carol Laumer as the Alternate for matters concerning both MRES and WMMPA. Commissioner Weber seconded.

## **RESOLUTION NO. 2**

The foregoing resolution was adopted by a vote of seven ayes and zero nays.

General Manager Harren presented the Commission with the 2019 WMU Consultant Listing. This listing consists of consultants (along with project descriptions & costs) which have been budgeted to be utilized for various projects throughout the year. It was further stated that all projects requiring consulting services over \$5,000 not listed will be brought before the Commission for approval. Following review and discussion, Commissioner DeBlieck offered a motion to approve

the 2019 WMU Consultant Listing as presented. Commissioner Magnuson seconded the motion which carried by a vote of seven ayes and zero nays.

Facilities & Maintenance Supervisor Marti presented the Commission with the December 2018 Wind Turbine Report. Turbine availabilities for the month of November were at 99.8% (Unit #3) and 97.2% (Unit #4) with a monthly total production of 587,263 KWH. Marti noted that the Utility does not anticipate any major issues in the near future relating to the wind turbines due to the advantages being experienced through the regular maintenance of the units being conducted by WMU Staff.

Following a review of the WMU's Mission Statement, HR Manager Johnson presented the Commission with a recap of the recently concluded lawsuit between the Willmar Municipal Utilities and former employee Jon Folkedahl. Johnson presented a concise timeline illustrating the "Jon Folkedahl Wrongful Termination and Breach of Contract Lawsuit" which lasted over twelve months. It was noted that both the Veterans Preference Hearing and the additional lawsuit requesting additional PTO payout, were found in favor of the Willmar Municipal Utilities. The WMU prevailed in both of the judicial proceedings. Following discussion, Commissioner Mattern extended the Commissions appreciation for the diligence and time spent concerning this matter.

As members of Missouri River Energy Services (MRES), the Utility is provided a monthly update from the MRES and Western Minnesota Municipal Power Agency (WMMPA) Board of Directors meeting. The video update provides a brief overview of the topics discussed by the Boards and the actions taken. Following a brief summary review by General Manager Harren, the December 6<sup>th</sup> MRES and WMMPA Board of Directors Meeting Update video was viewed.

General Manager Harren presented with the annual "*Commissioner 101*" data review and updates. This information is presented to the governing board annually as a "refresher" to assist in promoting understanding of roles & responsibilities, address potential board conflicts, clarify member's expectations, and to assist in providing guidance and directive to meet the goals and expectations of the Commission and Utility. To ensure that all Commissioners are kept well-informed, Harren reviewed the information which is also available via the Utility-provided iPads. Included in the step-by-step review were the following topics: 1) Mission Statement & Principle Statement; 2) Willmar City Charter, Section 4.05, Municipal Utilities Commission; 3) WMU Organizational Chart; 4) Open Meeting Law, Government Records & Data, and Conflict of Interest; 5) Educational Topics for 2019 (approved); 6) Budgets & Cash Flow Statements; and, 7) Strategic Planning/SWOT Analysis Action Items (currently being updated).

As stated per League of Minnesota Cities, Minnesota State Statues generally prohibit the acceptance of gifts by elected or appointed "local officials". However, it is somewhat unclear if the law pertains to all city employees or just high-level employees (management). Therefore as a means of disclosure for transparency, General Manager Harren provided the Commission with a listing of 2018 holiday gifts received throughout the Utility by customers/business associates (i.e. candy, nuts, cookies, etc.).

Due to a conflict with the upcoming APPA Legislative Rally (Feb. 25-27), General Manager Harren requested the Commission to consider rescheduling the February 25<sup>th</sup> meeting to February 22<sup>nd</sup> (Friday). In conclusion, it was determined that Admin. Secretary Mattheisen would contact the Commissioners to determine a suitable date for the meeting.

General Manager Harren presented the Commission with brief project updates to note. These updates included: 1) Staff (Marti/Graves) recently made a presentation to the City Council

regarding the downtown street lighting project (Jan. 7); and, 2) Staff (Braegelman/Harren) met with City Staff (& State of MN rep) regarding the Willmar Wye Project (Jan. 8 & 9).

General Manager Harren stated that a meeting of the WMU Planning Committee would be forthcoming in the near future (TBD). Agenda items will include: revenue neutrality update; generation study analysis; and, banking change.

At 1:05 pm, Commissioner Laumer declared a brief (five-minute) recess to be taken prior to the continuation of the recessed Work Session held on December 20<sup>th</sup>. At 1:09 pm, Commissioner Laumer called the meeting back to order and resumed discussion regarding the MUC Self-Evaluation Survey results. (A full recap of the Work Session notes will be forthcoming.)

For information: Upcoming meetings/events to note include:

- 2019 MMUA Legislative Conference: January 29-30 (St. Paul)
- 2019 APPA Legislative Rally: February 25-27 (Washington, DC)
- 2019 MMUA Summer Conference: August 19-21 (Breezy Point)

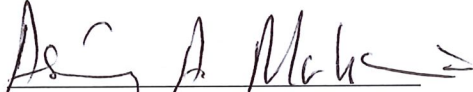
There being no further business to come before the Commission, Commissioner Laumer declared the meeting adjourned at 1:43 p.m.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES

  
Beth Mattheisen  
Administrative Secretary

ATTEST:

  
Abdirizak Mahboub, Secretary



## WILLMAR MUNICIPAL UTILITIES 2019 MUC MEETING SCHEDULE

Regular meetings of the Municipal Utilities Commission for the year 2019 will be held at 11:45 a.m., in the Municipal Utilities Auditorium, 700 SW Litchfield Avenue, Willmar, Minnesota, according to the following schedule unless revised by order of the Municipal Utilities Commission.

January 14, 2019	July 8, 2019
January 28, 2019	July 22, 2019
February 11, 2019	August 12, 2019
February 25, 2019	August 26, 2019
March 11, 2019	September 9, 2019
March 25, 2019	September 23, 2019
April 8, 2019	October 14, 2019
April 22, 2019	October 28, 2019
May 13, 2019	November 12, 2019*
May 28, 2019*	November 25, 2019
June 10, 2019	December 9, 2019
June 24, 2019	December 23, 2019

\*Denotes a Tuesday

**BY ORDER OF THE MUNICIPAL UTILITIES COMMISSION**

/s/ Carol Laumer

**Commission President**

**Missouri River Energy Services (MRES)  
Resolution No. 2**

The City of Willmar, by and through the Willmar Municipal Utilities, desires to appoint a new person to represent the City in matters relating to its membership in MRES, and the business with MRES. Commissioner Mahboub introduced the following Resolution, and moved its adoption, and Commissioner Weber seconded the motion to adopt:

**Resolution to Designate Authorized Representative for the  
City of Willmar, by and through the Willmar Municipal Utilities, as a Member of  
Missouri Basin Municipal Power Agency d/b/a Missouri River Energy Services**

WHEREAS, the City of Willmar, Minnesota, by and through the Willmar Municipal Utilities, has entered into the Agreement Establishing the Missouri Basin Municipal Power Agency, d/b/a Missouri River Energy Services (MRES), and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of MRES.

NOW, THEREFORE, BE IT RESOLVED that General Manager John Harren be and he is hereby designated and appointed as the representative of the City of Willmar, by and through the Willmar Municipal Utilities, and is authorized to represent Willmar's Municipal Utility in the business of MRES, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Commissioner Carol Laumer, is hereby designated and appointed, and authorized to represent the City of Willmar with equal powers.

Upon calling of the roll, the votes were as follows:

Voting for adoption of the Resolution: **Laumer, Mattern, Mahboub, Weber, DeBlieck, Magnuson & MacDonald**

Voting against adoption of the Resolution: **N/A**

Whereupon, the Commission President declared the Resolution duly adopted on the 14<sup>th</sup> day of January, 2019.

/s/ Carol Laumer  
Commission President

ATTEST:

/s/ Abdirizak Mahboub  
Commission Secretary

**DESIGNATION OF AUTHORIZED REPRESENTATION**

**RESOLUTION NO. 2**

WHEREAS, the Governing Body of the City of Willmar, Minnesota, by and through the Willmar Municipal Utilities Commission, has entered into an agreement to establish the Western Minnesota Municipal Power Agency (WMMPA) and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of WMMPA.

NOW, THEREFORE, BE IT RESOLVED that General Manager John Harren be and is hereby authorized and appointed as the representative of the City of Willmar, Minnesota, by and through the Willmar Municipal Utilities Commission, to represent the Municipal Utility in the business of WMMPA, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Commissioner Carol Laumer, is hereby authorized and appointed with equal powers.

/s/ Carol Laumer  
Commission President

ATTEST:

NOTARY:

/s/ Abdirizak Mahboub  
Commission Secretary

/s/ Janell Johnson  
Signature

January 14, 2019  
Date

January 31, 2022  
Expiration Date

