

WILLMAR MUNICIPAL UTILITIES COMMISSION
MEETING MINUTES - MARCH 27, 2023
11:45 AM - WMU AUDITORIUM

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Monday, March 27, 2023, at 11:45 am in the WMU Auditorium with the following Commissioners present: Bruce DeBlieck, Dave Baumgart, Shawn Mueske, John Kennedy, Patricia Elizondo, and Terrill Sieck. Absent was Commissioner Carol Laumer.

Others present at the meeting were: General Manager John Harren, Director of Administration Janell Johnson, Finance & Office Services Supervisor Andrea Prekker, Executive Secretary Beth Mattheisen, Energy Safety Outreach Coordinator Amber Dale, City Councilman Michael O'Brien, City Attorney Associate Cara Brown (via teleconference), WC Tribune Journalist Jennifer Kotila, CPA Justin McGraw of Conway, Deuth & Schmiesing, PLLP.

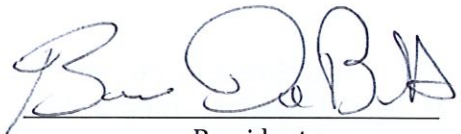
The meeting opened by reciting the Pledge of Allegiance. Commissioner DeBlieck continued by asking if any revisions were needed to the presented agenda. There being none, a resolution to approve the consent agenda was requested. Following review and discussion, Commissioner Mueske offered a resolution to approve the consent agenda as presented. Commissioner Baumgart seconded.

RESOLUTION NO. 11

"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 March 13, 2023, Commission meeting; and,
- ❖ Bills represented by vouchers No. 20230354 to No. 20230402 and associated wire transfers inclusive in the amount of \$2,440,027.40.

Dated this 27th day of March, 2023.



President

Attest:



Secretary

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

At this time, Commissioner DeBlieck introduced CPA Justin McGraw from the accounting firm of Conway, Deuth & Schmiesing, PLLP. Mr. McGraw was in attendance to present the Commission with a report summarizing the 2022 Financial Statements & Accountants' Report for the Willmar Municipal Utilities. He informed the Commission that following a thorough review of the financial statements and reporting records of the Willmar Municipal Utilities, it was determined that WMU is in total compliance with the provisions of laws, regulations, contracts, and agreements. Mr. McGraw further expressed his appreciation to Finance & Office Services Supervisor Prekker and WMU staff for the competent accounting practices being demonstrated and the leadership being provided. Following discussion, Commissioner Sieck offered a motion to accept the 2022 Financial Statements & Accountants' Report as presented. Commissioner Kennedy seconded the motion which carried by a vote of six ayes and zero nays.

General Manager Harren requested approval of a resolution formally adopting the WMU recognition program. The amended language to WMU's Personnel Policy 6.11 addresses recognition of identified achievement milestones and life events of WMU employees and Commissioners ("volunteers"). City Attorney Scott provided guidance and authored the resolution which meets state statute requirements while addressing the topic. Following review and discussion, Commissioner Mueske offered a resolution to approve the presented Employee and Volunteer Recognition Program policy for the public purpose of expressing appreciation for employees and volunteers with significant life events and milestone achievements. Commissioner Kennedy seconded.

RESOLUTION NO. 12

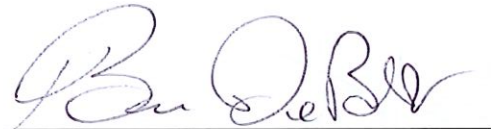
The foregoing resolution was adopted by a vote of six ayes and zero nays.

Finance & Office Services Supervisor Prekker informed the Commission of the need to determine the amount of liability limits to be set regarding the League of Minnesota Liability Insurance renewal. Staff recommended that Willmar Municipal Utilities does not waive the limits on municipal tort liability established by Minnesota Statutes 466.04. If WMU does not waive the statutory tort limits, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover in a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. If WMU waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants. Following discussion, Commissioner Mueske offered a resolution to not waive the limits on municipal tort liability established by Minnesota Statutes 466.04. Commission Baumgart seconded.

RESOLUTION NO. 13

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Willmar Municipal Utilities does not waive the limits on municipal tort liability established by Minnesota Statutes 466.04."

Dated this 27th day of March, 2022.



President

Attest:


Secretary

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

General Manager Harren informed the Commission that a meeting of the WMU Labor Committee is scheduled for Tuesday, March 28th beginning at 12:00 pm. Agenda topics will include the sale of WMU property, purchase of property for a new WMU facility, and Sprint Site Lease Agreement. Future meetings of both the WMU Labor and Planning Committees will also be forthcoming. Tentative future Labor Committee agenda item(s) will include union negotiations. Tentative future Planning Committee agenda items will include generation, new building, water treatment plant funding, and SunRay Water System.

General Manager Harren presented a summary of the joint meeting between WMU and City officials held on Wednesday, March 22nd. This annual meeting provides an opportunity to bring the City representatives up to speed on projects and issues affecting Willmar Municipal Utilities.

General Manager Harren recapped for the Commission two weekly updates provided by Jacobson Law Group on their continued legislative efforts to secure financial assistance for the NE Water Treatment Plant Project (March 17th and March 24th).

For information: Upcoming 2023 events to note include:

- MRES Annual Meeting: May 10-11 (Sioux Falls, SD)
- APPA National Conference: June 18-21 (Seattle, WA)
- MMUA Summer Conference: August 21-23 (Duluth)

There being no further business to come before the Commission, Commissioner DeBlieck offered a motion to adjourn. Commissioner Baumgart seconded the motion which carried by a vote of six ayes and zero nays, and the meeting was adjourned at 12:23 pm.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES



Beth Mattheisen
Executive Secretary

ATTEST:


Dave Baumgart, Secretary

WILLMAR MUNICIPAL UTILITIES RESOLUTION #12
RESOLUTION ESTABLISHING A POLICY FOR
EMPLOYEE AND VOLUNTEER RECOGNITION

WHEREAS, The City of Willmar ("City") is a home rule charter City organized under Minn. Stat. Ch. 410. Section 1.02 of the City's Charter grants to the City "all the powers, functions, rights and privileges possible for a city to have under the constitution and laws of the State of Minnesota as fully and completely as though they were specifically enumerated in this Charter;" and

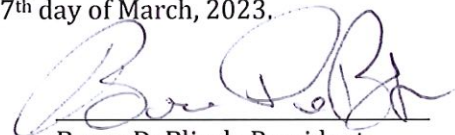
WHEREAS, Section 4.05 of the Charter confers "full control of the operation and management of the electric (and) water . . . systems of the City and such other utilities as it may acquire" upon the Commission and grants the Commission "all the powers which the (City Council) would have in the operation of said utilities.;" and

WHEREAS, Minn. Stat. § 15.46 authorizes statutory or home rule charter cities to "establish and operate a program of preventive health and employee recognition services for its employees and may provide necessary staff, equipment, and facilities and may expend funds as necessary to achieve the objectives of the program."

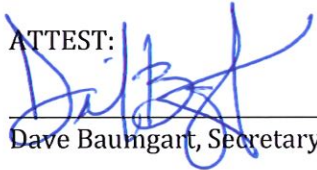
NOW, THEREFORE, BE IT RESOLVED BY THE WILLMAR MUNICIPAL UTILITES COMMISSION THAT:

1. Purpose: The Willmar Municipal Utilities ("WMU") Commission ("Commission") has adopted an Employee and Volunteer Recognition Program policy for the public purpose of expressing appreciation for employee and volunteer performance, commitment and dedication, particularly through times of personal stress, upheaval, and distraction associated with significant life events and milestones, acknowledgement of contributions made by employees and volunteers to the advancement of WMU's business objectives, promotion of a healthy workplace culture that aids in attracting and retaining employees and volunteers, and promotion of employee and volunteer morale, which indirectly results in improved quality of service provided by WMU to the public. The following information will serve as guidelines relating to the implementation of this WMU policy.
2. Employee and Volunteer Recognition: WMU may send floral/plant arrangements or other tokens without independent monetary resale value to WMU employees and volunteers upon the occurrence of any of the following significant life events:
 - a. Retirement or death of significant business associate; and,
 - b. All events identified in the WMU Personnel Policy Manual under *Employee and Volunteer Recognition Program*.
3. Annual Employee and Volunteer Recognition Fund: A budget within WMU's Administration Department will be established to be spent in accordance with this policy in recognition of WMU employees and volunteers.
4. For the purposes of this policy, members of the Commission are considered to be volunteers.

APPROVED by the Willmar Municipal Utilities Commission on this 27th day of March, 2023.


Bruce DeBlicke, President

ATTEST:


Dave Baumgart, Secretary