

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Thursday, December 21, 2023, at 11:45 am in the WMU Auditorium with the following Commissioners present: Bruce DeBleck, Shawn Mueske, Dave Baumgart, Carol Laumer, Patricia Elizondo, and Terrill Sieck. Absent was Commissioner John Kennedy.

Others present at the meeting were: General Manager John Harren, Director of Administration Janell Johnson, Staff Electrical Engineer Jeron Smith, Facilities & Maintenance Supervisor Kevin Marti, Systems Coordinator Mike Sangren, Executive Secretary Beth Mattheisen, City Attorney Robert Scott (via teleconference), and WC Tribune Journalist Jennifer Kotila.

The meeting opened by reciting the Pledge of Allegiance. Commission President DeBleck next asked if there were any changes to the presented agenda. There being none, a resolution to approve the consent agenda was requested. Following review and discussion, Commissioner Baumgart offered a resolution to approve the consent agenda as presented. Commissioner Laumer seconded.

RESOLUTION NO. 43

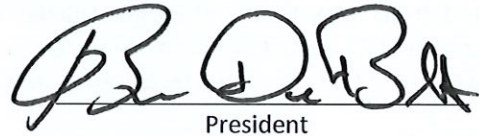
“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the consent agenda be approved as presented which includes:

- ❖ Minutes from the December 11, 2023, MUC Meeting; and,
- ❖ Bills represented by vouchers No. 20231772 to No. 20231856 and associated wire transfers inclusive in the amount of \$1,697,829.43.

Dated this 21st day of December 2023.

Attest:


Secretary


President

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


Commissioner Baumgart (LC Chair) reviewed with the Commission minutes from the December 18th WMU Labor Committee meeting (see attached). Following review and discussion, Commissioner Baumgart offered a motion to approve the minutes as presented. Commissioner Laumer seconded the motion which carried by a vote of six ayes and zero nays.

In conjunction with the Labor Committee meeting, two additional items were presented for approval consideration. The first item presented was to approve the proposed revisions to the WMU Personnel Policies for 2024. Commissioner Baumgart presented a brief overview of the proposed amendments which were minimal with the only two policies with content changes being the Clothing Purchasing Policy (addressed footwear allowance and return of WMU issued clothing/footwear) and Personnel Policy Manual (reflecting the approved 2024-2026 Union Contract). All other policies required minimal grammatic revisions. Following review, Commissioner Laumer offered a resolution to approve the 2024 WMU Personnel Policies incorporating the proposed revisions as presented. Commissioner Baumgart seconded.

RESOLUTION NO. 44

“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the proposed amendments to the 2024 WMU Personnel Policies be approved incorporating the revisions as presented.”

Dated this 21st day of December 2023.



President

Attest:



Secretary

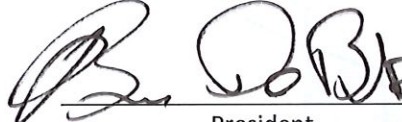
The foregoing resolution was adopted by a vote of six ayes and zero nays.

The Commission was next requested to approve the recommended 2024 wage and benefit package for General Manager Harren. It was noted that as part of the General Manager's annual performance review, an updated 2023 Goals Listing along with the 2024 Goals Listing were available for review. As in the past, a survey had been completed by all Commission members regarding the General Manager's performance for the past year. The results were compiled and once again reflected favorable results of General Manager Harren's performance. Commissioners expressed their appreciation to General Manager Harren for the excellent job he has once again done and that his efforts signify a clear indication of his exceptional performance and leadership attributes. Following additional discussion and positive input, Commissioner Baumgart offered a resolution to approve a 7% pay adjustment (same as union and non-union staff) along with minor adjustments to both WMU provided life insurance (removal) and Deferred Compensation matching contribution (increase from 6% to 7.5%) effective January 1, 2024. Commissioner Sieck seconded.

RESOLUTION NO. 45

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that following the favorable 2023 annual performance review, a 7% wage adjustment along with minor adjustments (life insurance and Deferred Compensation) be approved as presented for General Manager John Harren effective January 1, 2024."

Dated this 21st day of December 2023.



President

Attest:



Secretary

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

Staff Electrical Engineer Smith informed the Commission of several reporting requirements for Distributed Generation. One such report requires that it be filed with the WMU Commission by January 3, 2024. Per state requirements, WMU is required to report on energy generation, tariffs, and interconnection status for our customer-owned distributed generation facilities. The purpose of the report is to ensure WMU has updated rates on file for customers who have distributed generation resources (rates are published on the WMU website). Smith provided additional data regarding the reporting requirements for the 2024 Electric Distributed Generation Reporting.


General Manager Harren requested approval of Change Order No. 1 for the Northeast Water Treatment Plant Improvements Project. The contract modifications were due to additional costs associated with the project including: City Building Permit Fee (\$94,633); additional soil sampling/corrections (\$177,994); overflow piping & backwash holding tank changes (\$176,808); and, additional 1% bond & insurance costs (\$4,494). The original contract price was \$16,793,700. The updated contract price incorporating Change Order No. 1 (\$453,929) is in the amount of \$17,247,629. It was further noted that with the approval of the Change Order, the tentative completion

date for the project has been revised to April 18, 2025. Following review and discussion, Commissioner Mueske offered a resolution to approve Change Order No. 1 in the amount of \$453,929 as presented. Commissioner Baumgart seconded.

RESOLUTION NO. 46

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that Change Order No. 1 for modifications to the Northeast Water Treatment Plant Improvements Projects be approved as presented in the amount of \$453,929.00. (Project Engineers: Carollo Engineering and Bolton & Menk, Inc.; Contractor: Gridor Construction)

Dated this 21st day of December 2023.



President

Attest:



Secretary

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

General Manager Harren informed the Commission that due to a conflict for health care coverage for early retirees, the health insurance coverage for non-union staff and early retirees (7) would remain with the existing Medica plan for 2024.

As a member of Missouri River Energy Services (MRES), the WMU is provided a monthly update of the MRES and Western Minnesota Municipal Power Agency (WMMPA) Boards of Directors meeting. The November 2023 monthly update provided a brief overview of the topics discussed by the Boards and the actions taken.

Meetings of both the WMU Labor and Planning Committees will be forthcoming. Tentative future Labor Committee agenda item(s) will include new building land acquisition and Strategic Plan update. Tentative future Planning Committee agenda items will include new building, water treatment plant, new generation, transmission projects, water system model, PFAs update, and Operations Policies (annual review).

For information: Upcoming events to note include:

- 2024 APPA Legislative Rally (Washington, DC): February 26-28
- 2024 MMUA Legislative Conference (St. Pau): March 19-20

There being no further business to come before the Commission, Commissioner Mueske 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 12:15 pm.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES


Beth Mattheisen, Executive Secretary

ATTEST:



Dave Baumgart, Secretary

Attendees: Commissioners Dave Baumgart, John Kennedy & Patricia Elizondo, General Manager John Harren, Director of Administration Janell Johnson, and Executive Secretary Beth Mattheisen.

Commissioner Baumgart (LC Chair) called the meeting to order at 11:30 am.

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1. Annual review of WMU Personnel Policies for 2024: (Director of Administration Johnson)

As part of the annual review of WMU Personnel Policies, Director of Administration Johnson presented the Committee with proposed revisions for consideration. The changes were minimal with the majority of policies requiring no material changes. The Clothing Purchasing Policy and Personnel Policy Manual were the only policies with noted changes for consideration. Johnson provided a step-by-step review of the proposed revisions to the 2024 Personnel Policies as follow:

WMU Personnel Policies with no changes are:

- a. 2024 Personnel Policy Changes Summary
- b. Cell Phone Policy
- c. Data Practices Policies:
 - i. Data Practices for Data Subjects Policy
 - ii. Data Practices for Public Requests
 - iii. HIPAA Privacy Practice Policy
 - iv. MGDPA Comprehensive Policy
 - v. Securing Not Public Data Policy
- d. DOT Drug & Alcohol (CDL) Testing Policy
- e. Dress Code Policy
- f. Drug & Alcohol-Free Workplace
- g. Employee Performance Review
- h. FMLA Policy
- i. Fraud Policy
- j. Information Technology (IT) Policy
- k. Internship Policy
- l. PTO Donation Policy
- m. Social Media Policy
- n. Tablet Policy
- o. Workers Comp Policy
- p. Identity Theft Prevention Program

WMU Personnel Policies with proposed content changes (two):

- a. Clothing Purchasing Policy (safety footwear allowance, return of replaced safety footwear, and return of WMU work/logo clothing upon separation of employment)
- b. Personnel Policy Manual: (updates reflect approved 2024-2026 Union Contract)
 - i. Promotions/Transfers/Temporary Assignments
 - ii. Compensatory Time/Personal Time off/Personal Time Off/Employee Sick and Safety Time
 - iii. Holiday/Scheduled Days Off (added Juneteenth)
 - iv. Employee and Volunteer Recognition Program

Recommendation:

Following review and discussion, it was a consensus of the Labor Committee to recommend approval of the proposed revisions to the WMU Personnel Policies as presented. This recommendation will be presented to the Commission for consideration and approval at the December 21st MUC meeting.

2. **General Manager Annual Performance Review:** (Director of Administration Johnson)

An annual review of the General Manager's position was conducted to assist in assessing management/leadership performance and to establish future goals for the position. Director of Administration Johnson presented background information regarding the process utilized which included conducting a survey of the full Commission. All seven Commissioners provided responses to the distributed surveys with the data being compiled and a summary of the findings created. The results and comments reflect General Manager Harren's continuing leadership efforts in his role at Willmar Municipal Utilities.

As part of the review, General Manager Harren presented the Labor Committee with a step-by-step update of the previously established 2023 Goals along with a listing of proposed 2024 Goals. The Labor Committee expressed their appreciation for Harren's continued positive leadership along with the achievements of the 2023 Goals and concurred with the proposed 2024 Goals. General Manager Harren responded with appreciation for allowing him the opportunity to serve as General Manager for Willmar Municipal Utilities.

Following review of the Performance Evaluation, 2023 and 2024 Goals, Harren, Johnson and Mattheisen were excused from the meeting. At this time, the Committee further discussed General Manager Harren's performance and salary adjustment consideration.

Recommendation:

Following a step-by-step assessment of the General Manager's favorable performance evaluation, it was a consensus of the Labor Committee to recommend a 7% pay adjustment (same as union and non-union staff) along with minor adjustments to both WMU provided life insurance (removal) and Deferred Compensation matching contribution (increase from 6% to 7.5%) effective January 1, 2024. This recommendation will be presented to the Commission for approval at the December 21st MUC meeting.

It was noted that in the future, consideration may be given to expand the initial annual review to the full Commission (not solely the Labor Committee).

3. **Adjournment:**

There being no further business to come before the WMU Labor Committee, Commissioner Baumgart offered a motion to adjourn. Commissioner Kennedy seconded the motion which carried by a vote of three ayes and zero nays, and the meeting was adjourned at 1:09 pm.

