

**WILLMAR MUNICIPAL UTILITIES COMMISSION**

**Meeting Minutes – April 8, 2024**

**11:45 am – WMU Auditorium**

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Monday, April 8, 2024, at 11:45 am in the WMU Auditorium with the following Commissioners present: Shawn Mueske, John Kennedy, Terrill Sieck, Patricia Elizondo, Carol Laumer, and Bruce DeBlieck. Absent was Commissioner Dave Baumgart.

Others present at the meeting were: General Manager John Harren, Director of Administration Janell Johnson, Finance & Office Services Supervisor Andrea Prekker, Facilities & Maintenance Supervisor Kevin Marti, Information Systems Supervisor Mike Sangren, Executive Secretary Beth Mattheisen, City Councilman Michael O'Brien, City Attorney Robert Scott (via teleconference), City Administrator Leslie Valiant, Planning & Development Director Christopher Corbett, WC Tribune Journalist Jennifer Kotila, and CPA Justin McGraw of Conway, Deuth & Schmiesing, PLLP.

The meeting opened by reciting the Pledge of Allegiance. Due to the absence of Commission Secretary Baumgart, Commission President Mueske appointed Commissioner Sieck to serve as Acting Secretary. Following the appointment, Commissioner Mueske asked if any changes to the agenda were needed. There being none, a resolution to approve the consent agenda was requested. Following review and discussion, Commissioner DeBlieck offered a resolution to approve the consent agenda as presented. Commissioner Laumer seconded.

**RESOLUTION NO. 13**

"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 25, 2024, MUC Meeting; and,
- ❖ Bills represented by vouchers No. 20240405 to No. 20240444 and associated wire transfers inclusive in the amount of \$1,295,164.41.

Dated this 8<sup>th</sup> day of April 2024.

  
President

Attest:

  
Acting Secretary

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

At this time, Commissioner Mueske 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 2023 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 Laumer offered a motion to accept the 2023 Financial Statements & Accountants' Report as presented. Commissioner Kennedy seconded the motion which carried 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 DeBlieck offered a resolution to not waive the limits on municipal tort liability established by Minnesota Statutes 466.04. Commission Kennedy seconded.

#### RESOLUTION NO. 14

"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 8<sup>th</sup> day of April 2024.

  
President

Attest:

  
Acting Secretary

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

Facilities & Maintenance Supervisor Marti presented the Commission with the March 2024 Wind Turbine Report. Turbine availabilities for the month of February were 98.3% (Unit #3) and 89.0% (Unit #4) with a total monthly production of 854,131 kilowatt hours (kwh). The 2024 total production through March is 2,042,683 kwh. The 2024 costs/kwh associated with operating the units is .71¢/kwh. Since the inception of the units in 2009, the operational cost has been calculated at 14.43¢/kwh.

Facilities & Maintenance Supervisor Marti informed the Commission that a planning session to update the current WMU Strategic Plan will be held on Wednesday, May 1<sup>st</sup> beginning at 8:00 am. Once again, Marcy Douglas from MRES will assume the role as facilitator for the process which was last completed in 2021. Following input regarding the proposed timeline, it was a consensus to have the full Commission participate with the setting of the strategic goals beginning at 8:00 am (ending between 10:00-12:00 pm) followed by WMU Staff working with Ms. Douglas to identify strategies to achieve the established goals.

Facilities & Maintenance Supervisor Marti informed the Commission that on March 6<sup>th</sup> bids were opened for the furnishing of a new 40-foot Aerial Bucket Truck with a 19,500 GVW Cab & Chassis. Bids included trade-in of the 2012 Ford F550 Truck Chassis and 40-foot Altec Bucket Truck currently owned by WMU. Two bids were received with ABM Equipment being the low bidder with a net purchase price of \$193,970.00 including trade-in (approved project budget was \$225,000). Following review and discussion, Commissioner Laumer offered a resolution to award the bid for furnishing of the new 40-foot aerial bucket truck cab and chassis to ABM Equipment for the net amount of \$193,970.00 (including trade-in). Commissioner Kennedy seconded.

#### RESOLUTION NO. 15

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the bid for the furnishing of a 40-foot Aerial Bucket Truck with a 19,500 GVW Cab and Chassis be awarded to ABM Equipment for their net amount of \$193,970.00 including trade-in and contingent upon final approval shop of drawings prior to build-out."

Dated this 8<sup>th</sup> day of April 2024.

  
President



Attest:

  
Acting Secretary

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

In an effort to keep City Officials "up to speed" on projects and issues affecting the Utility, an annual report is prepared by WMU Staff updating the City on these developments. To better serve our community, sharing information, coordinating, and planning projects between the entities is essential. General Manager Harren presented a brief overview of the itemized *2023 WMU Update with Willmar City Council*. Meeting(s) with City Officials (Mayor, Council, Administration, etc.) will be scheduled at a later date to share the data presented.

Commissioner Mueske opened discussion with the Commission on recent developments associated with the SW Wellfield area (North Swansson Field). Mueske requested Attorney Scott to provide input on the public hearing initially scheduled by the City for April 15<sup>th</sup>. One of the topics to be addressed at the hearing was the City's proposed sale of 5.5 acres for development in the area. It was noted that WMU has completed extensive research to protect the areas surrounding public water supply wells or well fields and therefore has concerns regarding developing the property which could affect Willmar's water supply. Following input from Attorney Scott, it was determined that no action would be taken on the sale of the 5.5 acres at the public hearing on April 15<sup>th</sup>, and the public hearing would be extended allowing for future comments. In the meantime, additional options will be further investigated that would be beneficial to all parties involved. Mueske reiterated that the Commission and Staff's main concern is the preservation of the Willmar water supply both now and in the future.

American Public Power Association (APPA) has a 15-part on-demand training course entitled "*Public Power Governance Essentials*". This series offers a convenient way to get "up-to-speed" on governance requirements, such as complying with charters/bylaws, reporting conflicts of interest, understanding duties and legal obligations, and facilitating an effective board meeting. At this time, the informational video entitled "*Individual Roles & Responsibilities*" (lesson #7) was presented.

General Manager Harren informed the Commission that meetings of both the WMU Planning and Labor Committees would be forthcoming. Tentative future Labor Committee agenda item(s) will include new building land acquisition, Strategic Plan update, and MUC Self-Survey. Tentative future Planning Committee agenda items will include new building, new generation, transmission project, and water treatment plant.

Upcoming 2024 events to note:

- MRES Annual Meeting (Sioux Falls., SD): May 8-9 (Elizondo/Laumer/Harren/Johnson/Smith)
- MMUA Utility Leader Workshop (Alexandria): June 27 (3 additional sites & dates are available)
- APPA National Conference (San Diego, CA): June 7-12 (Kennedy/Laumer)
- MMUA Summer Conference (Fargo, ND): August 19-21

There being no further business to come before the Commission, Commissioner Kennedy offered a motion to adjourn. Commissioner DeBleck seconded the motion which carried by a vote of six ayes and zero nays, and the meeting was adjourned at 1:02 pm.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES

  
Beth Mattheisen, Executive Secretary

ATTEST:

  
Terrill Sieck, Acting Secretary

