

January 3, 2017
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, January 3, 2017 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Tom Appel, Donna Gravley, Jim Schmidt, Kevin Stevens, Norm Holmen; County Coordinator Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson, Kathy Marsh, Glenn Johnson, Crystal Reith, JinYeene Neumann, Kyle Pillatzki, Jed Rhubee, and Rahn Larson

Auditor/Treasurer Jan Johnson called the meeting to order and distributed the oaths of office to Commissioners Kevin Stevens and Norm Holmen.

Johnson then asked for nominations for Board Chairman. Motion by Holmen, second by Schmidt, unanimous vote to elect Commissioner Appel and to ask that all nominations cease and to cast a unanimous ballot for Appel as Board Chairman for 2017. Presiding over the remainder of the meeting was Chairman Tom Appel.

Appel then asked for nominations for Board Vice-Chairman. Motion by Schmidt, second by Stevens, unanimous vote to elect Commissioner Gravley and to ask that all nominations cease and to cast a unanimous ballot for Gravley as Vice-Chairman for 2017.

Motion by Schmidt, second by Stevens, unanimous vote to approve the agenda as amended. Motion by Schmidt, second by Gravley, unanimous vote to approve the minutes of the December 20, 2016 meeting.

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Glenn Johnson, Director of Information Systems, met with the board to discuss a few items. Johnson presented two fiber locating services contracts from USIC. Johnson stated that USIC has done fiber locating for us in 2016 and now require a contract. Contract #1 is for \$2,000 with USIC having no liability. Contract #2 is for \$5,000 with USIC having a liability limit of \$5,000. After much discussion, consensus of the board is to research other options available and bring back to the board.

Johnson informed the board that he has received an invoice from the SWCD Office for rental space for the GIS employee. Johnson stated that he does not have a budgeted line item for rent. Commissioner Appel stated to hold off on paying this invoice until he can have further discussions with Kay Gross, SWCD District Manager.

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Crystal Reith, 4-H Program Coordinator, met with the board to give an update on Cottonwood County's 4-H Programming during 2016 and informed the board of some new 4-H programs she is working on for 2017. Reith also gave a Lego Robotics demonstration.

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Nick Anderson, County Attorney, met with the board to request his cell phone reimbursement be lowered from \$75 to \$60. Motion by Gravley, second by Holmen, unanimous vote to adjust Nick Anderson's cell phone reimbursement to \$60 effective February 1, 2017.

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JinYeene Neumann, County Engineer/Public Works Director, met with the board to discuss the addition of an Assistant Maintenance Superintendent at the Public Works Department. Neumann stated this position would be 60% help for the Highway Maintenance Superintendent, 30% permitting, and 10% engineering. Consensus of the board is for Commissioners Gravley and Appel to meet with the County Engineer/Public Works Director and the Highway Maintenance Superintendent, then bring to a future work session, date to be determined.

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Motion by Gravley, second by Stevens, unanimous vote to set 2017 meeting dates for the 1st & 3rd Tuesday of each month as presented with the exception of July 5 and December 6; that all meetings will begin at 9:00 a.m. with the exception of June 21 – Board of Equalization and December 19 – Truth in Taxation, which will be afternoon meetings; and that 12 additional work sessions can be scheduled with no per diems.

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Motion by Stevens, second by Holmen, unanimous vote to accept the commissioner assignments for 2017 as presented:

Commissioner Department Assignments – 2017

Commissioner Jim Schmidt

County Auditor/Treasurer
County Recorder
Sheriff's Department

Commissioner Kevin Stevens

County Assessor
MN Extension Services
Information Technology Department

Commissioner Donna Gravley

Parks
Solid Waste Department
Veteran's Service Office

Commissioner Norm Holmen

Court Administration/Probation
Emergency Management
Planning & Zoning

Commissioner Tom Appel

County Attorney
County Coordinator
Highway Department

Commissioner Committee Assignments – 2017

ACE of Southwestern Minnesota (4 th Thursday-9 a.m.–Slayton)	Commissioner Donna Gravley Commissioner Jim Schmidt, alt.
AMC Voting Delegates	Commissioner Kevin Stevens Commissioner Norm Holmen Commissioner Tom Appel Commissioner Jim Schmidt Commissioner Donna Gravley County Engineer JinYeene Neumann DVHHS - Craig Myers County Coordinator Kelly Thongvivong
Area II River Basin Projects (1 st Thursday-9 am-Marshall)	Commissioner Norm Holmen Commissioner Jim Schmidt, alt.
Board of Adjustment	1 st District – Heidi Hansen 2 nd District – Sharon Tibodeau 3 rd District – Lisa Fredin 4 th District – Mike LaMaack 5 th District – Jonathan Penner
Compensation Committee (as needed)	Commissioner Tom Appel - Chair Commissioner Donna Gravley – Vice-Chair
Cottonwood County DAC	Commissioner Tom Appel
Cottonwood County Dept. Head Meetings	Commissioner Tom Appel - Chair Commissioner Donna Gravley – Vice-Chair
Cottonwood County Ditch Authority	Commissioner Kevin Stevens Commissioner Norm Holmen Commissioner Tom Appel Commissioner Jim Schmidt Commissioner Donna Gravley
Cottonwood County Historical Society (4 th Monday-3:30pm-Windom)	Commissioner Kevin Stevens
Cottonwood County Law Library (Annual Mtg in July, otherwise as needed)	Commissioner Kevin Stevens
Cottonwood County Personnel Board of Appeals	Jim Jorgenson (Westbrook) Dennis Nelson (Windom) Jerry Haberman (Mt. Lake)
Des Moines River West Fork Project	Commissioner Kevin Stevens Commissioner Jim Schmidt, alt.
Des Moines Valley Health & Human Services (2 nd Thursday-9 am LEC)	Commissioner Norm Holmen Commissioner Kevin Stevens Commissioner Tom Appel Commissioner Donna Gravley Commissioner Jim Schmidt

Des Moines Valley Health & Human Services Mental Health Local Advisory Council	Becky Wiens Ree Tschetter David Johnson Ron Kuecker Dawn Eigenberg Commissioner Donna Gravley
Family Services Collaborative Board	Commissioner Tom Appel Commissioner Donna Gravley, alt.
Greater Blue Earth River Basin Alliance	Commissioner Tom Appel Commissioner Norm Holmen, alt.
Heron Lake Watershed District (3 rd Tuesday-7pm-Heron Lake Adv Comm 4x/yr-10 am-Heron Lake)	Commissioner Kevin Stevens
Intergovernmental Relations Board	Commissioner Kevin Stevens Commissioner Norm Holmen Commissioner Tom Appel Commissioner Jim Schmidt Commissioner Donna Gravley
Joint Government Meeting (City of Windom, Cottonwood County, Windom School District) Land Use Advisory Committee	Commissioner Tom Appel – Chair Commissioner Donna Gravley – Vice-Chair County Coordinator Kelly Thongvong Commissioner Tom Appel Commissioner Norm Holmen, alt.
Local Emergency Preparedness and Planning Committee	Commissioner Kevin Stevens
MN Counties Computer Cooperative Delegate	Auditor/Treasurer Jan Johnson County Assessor Gale Bondhus, alt.
MN Extension Agency Board of Directors (3-year terms – 2-term limit)	Commissioner Tom Appel - Chair Commissioner Donna Gravley – Vice-Chair Auditor/Treasurer Jan Johnson 1 st District – Elizabeth Johnson (2 nd term ends 12/18) 2 nd District – Katie Robillard (1 st term ends 12/19) 3 rd District – Larry Stuckenbroker (1 st term ends 12/17) 4 th District – Sarah Wiebe (1 st term ends 12/19) 5 th District – Carolyn Rempel (1st term ends 12/17)
MN Rural Counties Caucus	Commissioner Kevin Stevens Commissioner Jim Schmidt, alt.
Planning Commission (3-year terms – no term limit)	Commissioner Norm Holmen Commissioner Tom Appel, alt. 1 st District – Heidi Hansen (12/18) 2 nd District – Sharon Tibodeau (12/17) 3 rd District – Leland Thiesen (12/17) 4 th District – Keith Engen (12/17) 5 th District – Phil Harder (12/17)
Plum Creek Library Board	Commissioner Donna Gravley

Private Industry Council Chief Elected Officials Board Members	Commissioner Tom Appel
Red Rock Rural Water	Commissioner Jim Schmidt Commissioner Kevin Stevens, alt.
Redwood-Cottonwood Rivers Control Agency (1 st Thursday-9 am-Marshall)	Commissioner Norm Holmen Commissioner Jim Schmidt, alt.
Rural Minnesota Energy Board	Commissioner Tom Appel Commissioner Kevin Stevens, alt.
Soil & Water Conservation District	Commissioner Tom Appel
Southern Prairie Community Care (4 th Friday-9:30am-Redwood Falls)	Commissioner Norm Holmen Commissioner Donna Gravley, alt.
Southwest Minnesota Housing Partnership	(Appointment done by SRDC)
SWMN Emergency Communications Board (4 th Wednesday of odd months at 1pm in Marshall)	Commissioner Norm Holmen Commissioner Jim Schmidt, alt.
SW Mental Health Center Board of Directors (2 nd Wednesday-7 pm-Worthington)	Commissioner Norm Holmen Commissioner Jim Schmidt Robin Weis
SW Mental Health Consortium (2 nd Friday-9:30 am-Marshall) SW MN EMS Board	Commissioner Norm Holmen Emergency Management Director Paul Johnson Commissioner Jim Schmidt, alt.
SW MN Regional Solid Waste Commission	Commissioner Tom Appel Commissioner Kevin Stevens, alt.
SW Regional Development Commission	Commissioner Donna Gravley
State Community Health Service Advisory Committee (SCHSAC)	Commissioner Rosemary Schultz (Jackson County)
Statewide Health Improvement Program (6x/yr-2 nd Wednesday-11:30 am- Lakefield)	Commissioner Kevin Stevens
Travel Southwest MN (Meet monthly)	Commissioner Tom Appel Alexandra Leland, Chamber Director (OPEN)
Wellness Committee (4 th Tuesday – 10:00 am)	Commissioner Donna Gravley
Western Community Action, Inc. (2 nd Tuesday-5:30 pm-Marshall)	Commissioner Donna Gravley Commissioner Jim Schmidt, alt.

2017 AMC Policy Committee Appointments

Environmental & Natural Resources	Commissioner Tom Appel
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General Government	Commissioner Donna Gravley
Health & Human Services	Commissioner Norm Holmen
Public Safety	Commissioner Jim Schmidt
Transportation	Commissioner Kevin Stevens
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Motion by Schmidt to raise meal rates for 2017 by \$2.00. Motion failed due to lack of a second. Motion by Holmen, second by Gravley, to raise meal rates for 2017 by \$1.00 as follows: \$9.75 for breakfast, \$14.75 for lunch and \$18.50 for evening meal. Voting Aye – Holmen, Stevens, Gravley, and Appel. Voting Nay – Schmidt. These amounts include a 20% gratuity.

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Motion by Gravley, second by Holmen, to raise the clerk hire and seasonal wages 2% for 2017. Wages are set as follows: clerk hire \$12.33/hour; seasonal wages at \$10.25 – 1st year; \$10.56 – 2nd year; \$10.87 – 3rd year; \$11.19 – 4th year; \$11.55 – 5th year.

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Motion by Schmidt, second by Stevens, unanimous vote to pay Auditor warrants with regular and customary payments for 2017, which might include: payroll and associated payables; utilities; bond payments; contract payments; payment to other government entities; tax settlements; refunds; reissue voids; well sealing; sewer loan contract payments; insurance payments and lease payments.

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Motion by Holmen, second by Gravley, unanimous vote to re-designate official Cottonwood County Depositories as follows: Bank Midwest – Windom; Bank of the West – Windom; United Prairie Bank – Mt. Lake; First Security Bank – Storden; First Empire Securities – Hauppauge, NY; Multi-Bank Securities - Southfield, MI; Wells Fargo Advisors – Minneapolis; and Piper Jaffray – Minneapolis.

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Motion by Gravley, second by Schmidt, unanimous vote to re-designate official Cottonwood County Brokers as follows: First Empire Securities – Hauppauge, NY; Multi-Bank Securities – Southfield, MI; Wells Fargo Advisors – Minneapolis; and Piper Jaffray – Minneapolis.

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Motion by Holmen, second by Schmidt, unanimous vote to accept the bid received from the Citizen for the Official County Newspaper for 2017.

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Motion by Gravley, second by Stevens, unanimous vote to set the 2017 Contingency Fund for the County Attorney’s office at \$2,500.00.

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Motion by Holmen, second by Schmidt, unanimous vote to leave the per diem for committee members other than commissioners at \$75 per meeting for 2017.

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Motion by Schmidt, second by Stevens, unanimous roll call vote to approve Resolution 17-01-03 approving participation in the Cottonwood County Home

Initiative Program as follows:

**Resolution Approving Participation
In the Cottonwood County Home Initiative Program**

WHEREAS, Minnesota Statutes §469.1812 through 469.1815 gives authority to Cottonwood County to grant an abatement of taxes imposed by the County if certain criteria are met; and

WHEREAS, Cottonwood County has been in discussions with Governing Bodies in Cottonwood County regarding participation in the tax abatement program known as the "Cottonwood County Home Initiative Program"; and

WHEREAS, the purpose of the Cottonwood County Home Initiative is to provide incentives to encourage the construction of new owner-occupied and rental residential housing units, encourage replacement of dilapidated housing structures within Cottonwood County, and increase future tax revenues in Cottonwood County; and

WHEREAS, an eligible participant in the program would be any person who constructs a new single-family home, duplex, or multi-family complex and who files application material and seeks formal approval from the appropriate local jurisdictions; and

WHEREAS, in addition to the statutory requirements, Cottonwood County has reviewed the approved Cottonwood County Home Initiative guidelines which must be met before an abatement of taxes will be granted for residential development; and

WHEREAS, individual applications requesting tax abatement for new residential construction projects in Cottonwood County will come before the Cottonwood County Board of Commissioners for approval; and

WHEREAS, it is in the best interests of the Cottonwood County and its citizens that the cities and schools in Cottonwood County participate in the Cottonwood County Home Initiative Program as proposed.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COTTONWOOD COUNTY, MINNESOTA, as follows:

1. The Cottonwood County's participation in the Cottonwood County Home Initiative Program is hereby approved.
2. The Board of Commissioners retains the authority for final approval of individual projects requesting tax abatement by the Cottonwood County.
3. The Board of Commissioners are hereby authorized to sign any required documents authorizing the Cottonwood County's participation in the Cottonwood County Home Initiative Program.

Adopted this 3rd day of January, 2017.

S/Thomas D. Appel, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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Kelly Thongvong presented, on behalf of the Sheriff, the 2017 jail and civil process fees. Thongvong noted that the only change would be that we will no longer charge a \$5 copay for mental health treatment. Motion by Gravley, second by Holmen, unanimous vote to set 2017 jail fees and civil process fees as follows:

Jail Fees

Huber Fees (Work Release)

- Cottonwood County Inmates \$20 per day (Inmate responsible for all medical)
- Out of County Inmates \$50 per day (Inmate responsible for all medical)

Pay for Stay

- \$20 per day for sentenced inmates only
- All medical added to Pay for Stay bill
- All miscellaneous (Ex. Damage to property) added to bill

Prisoner Board for other agencies

- \$60 per day
- All medical bills for inmate added to Prisoner Board bill

Drug Tests

- Out of County (Ex. For probation or other agencies) \$20
- Court Ordered Drug Tests \$5
- **We do not do public drug testing**

Inmate Medical

- Request to see nurse \$5
- Doctor visit \$5
- Dental Visit \$5

PBT Testing (we only charge for out of county agencies)

- \$5.00

Fingerprint Fees

- \$10 fee for all public fingerprinting (Ex. Employment, licensing, etc.)

Booking Fees

- \$10 This fee also includes Book and Release Inmates

CD/DVD Recording Fees

- (Release only according to law) \$20 per disc

Civil Process Fees

- Single service Originating within MN \$50.00
For multiple services at same address
add a \$50.00 incremental increase for each
additional service.
- Writ of Execution – Service Fee \$ 50.00
- Per Person Service \$ 50.00
- Mileage (3 attempts included) \$ 10.00 (after 3 attempts)
- Legal Not Found \$ 50.00
- Return of Process when service is not made \$ 50.00
- Execution Commission (based on the total
amount seized, collected or stipulated by the
parties as a result of the Sheriff's Levy) 10% on first \$250.00 and 6%
remaining balance.
- Executions Returned – not satisfied \$ 50.00
- Postings – 3 public places \$ 50.00
- Vacancy \$ 50.00

Sales:

- Mortgage Foreclosures \$100.00
- Mortgage Redemptions \$250.00
- Intent to Redeem (each lien) \$100.00
- Document Delivery Fee – following redemption \$ 20.00

- Mortgage Foreclosure – non-cancellation fee of sale \$ 50.00

Additional Fees:

- Fingerprinting (by appointment) \$ 10.00
- Local Records Check – Original signed release authorization \$ 0.25/page
- Accident Reports – Insurance Companies \$ 0.25/page
- Copy Fee \$ 0.25/page
- CD/DVD Recording Fees \$ 20/disc

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Motion by Gravley, second by Stevens, unanimous vote to approve adding Martin Mollenhauer, GIS Specialist, to the cell phone user list and to reimburse him \$60 per month for the use of his personal cell phone for work-related matters effective, January 1, 2017.

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Motion by Schmidt, second by Holmen, unanimous vote to hire Heather Janssen, Jennifer Etchason, and Jacob Samdal as part-time Jailer/Dispatchers, on Range 11, Step A (\$18.12/hour), contingent upon successful completion of all hiring requirements. Thongvivong stated that all three pending employees will start in January.

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Motion by Stevens, second by Schmidt, unanimous vote to accept the resignation from Hector Macias as part-time jailer/dispatcher effective January 12, 2017, with appropriate payout of benefits.

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Motion by Schmidt, second by Holmen, unanimous vote to accept the resignation from Joel Rostomily as full-time Heavy Equipment Operator effective February 17, 2017 with appropriate payout of benefits.

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Kelly Thongvivong, County Coordinator, informed the board that she received an annual survey from MRCC that needs to be completed. The board took a few minutes during the meeting to complete the survey.

Thongvivong informed the board that there will be a SRDC orientation meeting on February 4, 2017.

Thongvivong informed the board that the federal mileage rate for 2017 has been set at \$0.535 per mile.

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Motion by Gravley, second by Stevens, unanimous vote to pay a per diem to Commissioners that attend the Pipeline Safety meeting in Windom on February 6, 2017.

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Motion by Holmen, second by Schmidt, unanimous vote to recess as the County Board and to convene as the Ditch Authority.

Motion by Schmidt, second by Gravley to approve the 2017 ditch levies as submitted.

Jan Johnson, Auditor/Treasurer, informed the board that the redetermination of Judicial Ditch #1 should be completed in 2017.

Motion by Gravley, second by Schmidt, unanimous vote to adjourn as the Ditch Authority and to reconvene as the County Board.

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Commissioner Appel stated that a work session should be planned for late January to discuss recycling, county buildings, and the Public Works Department.

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There being no further business, the meeting was adjourned at 11:00 a.m.

Jan Johnson, Auditor/Treasurer

Thomas D. Appel, Board Chairman

Kelly Thongvivong, County Coordinator