

January 5, 2016  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, January 5, 2016 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Jim Schmidt, Kevin Stevens, Donna Gravley, Norm Holmen; Tom Appel, County Coordinator Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson, Kathy Marsh, Glenn Johnson, James Jorgensen, Kristen Porath, Kristi Sell, Becky Alexander, David Bucklin, Gale Bondhus, Andrew Olson, and Rahn Larson.

Auditor/Treasurer Jan Johnson called the meeting to order. Johnson asked for nominations for Board Chairman. Motion by Holmen, second by Schmidt, unanimous vote to elect Commissioner Stevens and to ask that all nominations cease and to cast a unanimous ballot for Stevens as Board Chairman for 2016. Presiding over the remainder of the meeting was Chairman Kevin Stevens.

Stevens then asked for nominations for Board Vice-Chairman. Motion by Gravley, 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 Vice-Chairman for 2016.

Motion by Schmidt, second by Gravley, unanimous vote to approve the agenda as amended. Motion by Holmen, second by Appel, unanimous vote to approve the minutes of the December 14, 2015 work session. Motion by Appel, second by Holmen, unanimous vote to approve the minutes of the December 15, 2015 meeting.

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Glenn Johnson, Director of Information Systems, met with the board to get approval to renew the county's anti-virus software. Motion by Schmidt, second by Gravley, unanimous vote to approve the anti-virus agreement with Trebon Company, Inc. for 3-years at a cost of \$6,648.00.

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James Jorgensen, Chief Deputy Sheriff, presented quotes from Tactical Solutions - \$4,795.00 and Enforcement Products - \$4,920.00 for the replacement of a squad car video camera. Motion by Gravley, second by Schmidt, unanimous vote to approve the quote from Tactical Solutions in the amount of \$4,795.00 for the purchase of a WatchGuard 4RE video system.

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Kristi Sell, Jail Administrator, met with the board to set the 2016 jail fees. Sell noted a change to the Work Release Fee and two additions: Request to see nurse and Booking fee. Motion by Holmen, second by Appel, unanimous vote to set 2016 jail fees as follows:

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
- SW Mental Health 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  
\* \* \* \*

Kristin Porath, Sheriff Administrative Assistant, met with the board to set the 2016 civil process fees. Porath noted that the only change was to the Mortgage Foreclosures fee. Motion by Schmidt, second by Appel, unanimous vote to set 2016 civil process fees as follows:

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
- \* \* \* \*

Commissioner Holmen led discussion regarding a Pipeline Safety Meeting that will be held in Jackson on February 1. Motion by Holmen, second by Gravley, unanimous vote to approve a per diem for commissioners attending the Pipeline Safety meeting on February 1, 2016.

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Commissioner Appel informed the board that Susan Amundson, Assessor Office Manager/GIS, researched and compiled information regarding the fair grounds and who owns what property. Appel stated that he will be meeting with the Ag Society at their next meeting to review the information and discuss how to proceed.

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Motion by Schmidt, second by Gravley, unanimous vote to allow the County Attorney to sign the IV-D Contract with Des Moines Valley Health and Human Services.

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Jared Morrill, Planning & Zoning Technician, met with the board to present a Conditional Use Permit request from James Jorgenson for construction of a Solar Array on his property located in Westbrook Township, Section 27. Motion by Schmidt, second by Holmen, unanimous vote to approve the Conditional Use Permit request from James Jorgenson for construction of a Solar Array on his property located in Westbrook Township, Section 27, with the following conditions: (1) to be compliant with Cottonwood County Zoning Ordinance #28; (2) to have erosion controls in place during construction; (3) to secure all necessary Federal/State/County permits and fees; and (4) to have a refuse container on site during construction.

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Motion by Holmen, second by Gravley, unanimous vote to set 2016 meeting dates for the 1<sup>st</sup> & 3<sup>rd</sup> Tuesday of each month as presented with the exception of December 13; that all meetings will begin at 9:00 a.m. with the exception of June 21 – Board of Equalization and December 13 – Budget Discussion which will be afternoon meetings; and that 12 additional work sessions can be scheduled with

no per diems.

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JinYeene Neumann, County Engineer/Public Works Director, met with the board to discuss a few items. Neumann stated that six applications were received for the Engineering Aide position and that she would like to continue with the interview process and would be able to fund the position from reserves in 2016. Motion by Schmidt, second by Appel, to interview for the Engineering Aide position. Voting Aye – Schmidt, Appel, Holmen, Stevens. Voting Nay – Gravley. Motion passed.

Motion by Gravley, second by Schmidt, unanimous roll call vote to adopt resolution as follows:

**Resolution 16-01-05A**  
CREATING PRIORITIZED BRIDGE REPLACEMENT LIST

WHEREAS; Cottonwood County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and

WHEARAS; Cottonwood County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE BE IT RESOLVED, that the attached list of deficient bridges are high priority and Cottonwood County intends to replace, rehabilitate or remove these bridges as soon as possible when funds are available,

FURTHERMORE, Cottonwood County does hereby request authorization to replace, rehabilitate or remove such bridges; and

FURTHERMORE, Cottonwood County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

DATED: January 5, 2016  
S/Kevin Stevens, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Motion by Holmen, second by Appel, unanimous roll call vote to adopt resolution as follows:

**Resolution 16-01-05B**  
RESOLUTION TO USE ALTERNATIVE METHOD TO DISSEMINATE BIDS AND REQUESTS

WHEREAS, Minnesota Statue 311A.03 Subd. 3(b) allows a county to use its website or recognized industry trade journals as an alternative to disseminate solicitations of bids, requests for information and requests for proposals.

NOW THEREFORE, the Cottonwood County Board of Commissioners hereby resolves:

BE IT RESOLVED, that from this day forward, the County of Cottonwood may use the Cottonwood County website, [www.co.cottonwood.mn.us](http://www.co.cottonwood.mn.us), as an alternative means to disseminate solicitations of bids, requests for information, and requests for proposals for transportation related construction and maintenance projects.

IT IS FURTHER RESOLVED that any dissemination by alternative means must be in substantially the same format and for the same period of time as a publication would otherwise be required under Minnesota Statute 331A.03 Subd. 3.

Adopted this 5<sup>th</sup> day of January 2016.  
S/Kevin Stevens, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Neumann presented information to the board regarding the Highway Department's 5-Year Plan for Highway construction projects.

Neumann asked for approval to travel out-of-state to attend the 2016 National Association of County Engineers (NACE). Motion by Holmen, second by Schmidt, unanimous vote to allow the County Engineer/Public Works Director to attend the NACE Conference in Tacoma, Washington, April 24 – 28, 2016.

Neumann asked for permission to start the process for hiring seasonal employees for the Parks and Highway Departments. Neumann would like to hire a combination of employees for 120 hours per week for the Parks Department and three, 40 hour per week employees for the Highway Department. Motion by Holmen, second by Gravley, unanimous vote to allow the Public Works Department to advertise for seasonal employees.

Neumann presented information for the purchase of 20 new picnic tables. Quotes received were: Zoro - \$279.65 per table for wood table with metal frame and Global Industrial - \$311.95 per table, all metal. Motion by Holmen, second by Schmidt, unanimous vote to approve the quote from Global Industrial for \$311.95 per table for 20 tables plus shipping for a total of \$6,985.00 as the tables would be maintenance free.

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Commissioner Appel informed the board that the ditch levy for County 20 tile may need to be amended as there may be 600 feet of tile that will need router work or replacement.

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Commissioner Schmidt led discussion regarding the GIS position that was cut from the budget in 2015. Becky Alexander and David Bucklin, SWCD employees, joined the discussion to inform the board of what was happening in their office regarding GIS. After much discussion, consensus of the board is to let the SWCD office become familiar with the software they are purchasing and then bring an example of what can be done back to the board at a future meeting.

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Motion by Gravley, second by Schmidt, unanimous vote to set the 2016 Contingency Fund for the County Attorney's office at \$2,500.00.

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Kelly Thongvivong, County Coordinator, met with the board to get approval on the 43 pages of proposed Personnel Policy changes that were sent out to all employees in October 2015. Thongvivong received comments from one individual and herself and had the County Attorney review the comments. Motion by Gravley, second by Holmen, unanimous vote to approve all Personnel Policy changes as presented and with the County Attorney's revision of Policy number 330-2.

\* \* \* \*

Motion by Schmidt, second by Holmen, unanimous vote to accept the commissioner assignments for 2016 as follows:

**Commissioner Department Assignments – 2016**

**Commissioner Kevin Stevens**  
County Coordinator

County Assessor  
County Recorder

**Commissioner Jim Schmidt**  
County Attorney  
Veteran's Service Office  
Court Administration/Probation

**Commissioner Donna Gravley**  
Solid Waste Department  
Parks  
MN Extension Services

**Commissioner Norm Holmen**  
Sheriff's Department  
Emergency Management  
Information Technology Department

**Commissioner Tom Appel**  
Planning & Zoning  
County Auditor/Treasurer  
Highway Department

**Commissioner Committee Assignments – 2016**

ACE of Southwestern Minnesota  
(4<sup>th</sup> 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<sup>st</sup> Thursday-9 am-Marshall)

Commissioner Norm Holmen  
Commissioner Jim Schmidt, alt.

Board of Adjustment

1<sup>st</sup> District – Heidi Hansen  
2<sup>nd</sup> District – Sharon Tibodeau  
3<sup>rd</sup> District – Lisa Fredin  
4<sup>th</sup> District – Mike LaMaack  
5<sup>th</sup> District – Jonathan Penner  
Commissioner Kevin Stevens - Chairman  
Commissioner Tom Appel – Vice-Chairman

Compensation Committee  
(as needed – 10:00 am)

Cottonwood County DAC

Commissioner Tom Appel

Cottonwood County Dept. Head Meetings

Commissioner Kevin Stevens - Chair  
Commissioner Tom Appel – 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 <sup>th</sup> 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 <sup>nd</sup> Thursday-9 am LEC)	Commissioner Norm Holmen Commissioner Kevin Stevens Commissioner Tom Appel Commissioner Donna Gravley Commissioner Jim Schmidt
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 <sup>rd</sup> 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)	Commissioner Kevin Stevens – Chair Commissioner Tom Appel – Vice-Chair County Coordinator Kelly Thongvivong
Land Use Advisory Committee	Commissioner Tom Appel
Local Emergency Preparedness and Planning Committee	Commissioner Kevin Stevens
Mental Health Local Advisory Council	Becky Wiens Ree Tschetter David Johnson Ron Kuecker Dawn Eigenberg
MN Counties Computer Cooperative Delegate	Auditor/Treasurer Jan Johnson County Assessor Gale Bondhus, alternate

MN Extension Agency Board of Directors (3-year terms – 2-term limit)	Commissioner Kevin Stevens - Chair Commissioner Tom Appel – Vice-Chair Auditor/Treasurer Jan Johnson 1 <sup>st</sup> District – Elizabeth Johnson (12/17 – 2 <sup>nd</sup> term) 2 <sup>nd</sup> District – Kim Armstrong (12/16 – 2 <sup>nd</sup> term) 3 <sup>rd</sup> District – Larry Stuckenbroker (12/17 – 1 <sup>st</sup> term) 4 <sup>th</sup> District – Kelly Piotter (12/16 – 1 <sup>st</sup> term) 5 <sup>th</sup> District – Carolyn Rempel (12/17 – 2 <sup>nd</sup> term I-in)
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 <sup>st</sup> District – Heidi Hansen (12/18) 2 <sup>nd</sup> District – Sharon Tibodeau (12/17) 3 <sup>rd</sup> District – Leland Thiesen (12/17) 4 <sup>th</sup> District – Keith Engen (12/17) 5 <sup>th</sup> 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 <sup>st</sup> 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 <sup>th</sup> 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 <sup>th</sup> Wednesday of odd # months)	Commissioner Norm Holmen Commissioner Jim Schmidt, alt.
SW Mental Health Center Board of Directors (2 <sup>nd</sup> Wednesday-7 pm-Worthington)	Commissioner Norm Holmen Commissioner Jim Schmidt Robin Weis
SW Mental Health Consortium (2 <sup>nd</sup> Friday-9:30 am-Marshall)	Commissioner Norm Holmen
SW MN EMS Board	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 <sup>nd</sup> Wednesday-11:30 am- Lakefield)	Commissioner Kevin Stevens
Travel Southwest MN (Meet monthly)	Commissioner Tom Appel Randy Markl, DNR <b>(OPEN)</b>
Wellness Committee (4 <sup>th</sup> Tuesday – 10:00 am)	Commissioner Donna Gravley
Western Community Action, Inc. (2 <sup>nd</sup> Tuesday-5:30 pm-Marshall)	Commissioner Donna Gravley Commissioner Jim Schmidt, alt.

**2016 AMC Policy Committee Appointments**

Environmental & Natural Resources	Commissioner Tom Appel
General Government	Commissioner Donna Gravley
Health & Human Services	Commissioner Norm Holmen
Public Safety	Commissioner Jim Schmidt
Transportation	Commissioner Kevin Stevens

Motion by Holmen, second by Appel, unanimous vote to leave the meal rates for 2016 at \$8.75 for breakfast, \$13.75 for lunch and \$17.50 for evening meal. These amounts include a 20% gratuity

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Motion by Gravley, second by Schmidt, unanimous vote to raise the clerk hire and seasonal wages 2% for 2016. Wages are set as follows: clerk hire \$12.09/hour; seasonal wages at \$10.05 – 1<sup>st</sup> year; \$10.35 – 2<sup>nd</sup> year; \$10.66 – 3<sup>rd</sup> year; \$10.97 – 4<sup>th</sup> year; \$11.32 – 5<sup>th</sup> year.

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Motion by Schmidt, second by Holmen, unanimous vote to pay Auditor warrants with regular and customary payments for 2016, 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.

\* \* \* \*

Motion by Schmidt, 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 Holmen, second by Appel, 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 Gravley, second by Appel, unanimous vote to accept the bid received from the Citizen for the Official County Newspaper for 2016.

\* \* \* \*

Motion by Schmidt, second by Holmen, unanimous vote to set the per diem for committee members other than commissioners at \$75 per meeting for 2016.

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Kelly Thongvivong, County Coordinator, presented a quote from Clifton Larson Allen for Affordable Care Act (ACA) reporting services. Thongvivong stated that Clifton Larson Allen will prepare and distribute all forms to Cottonwood County employees and send the information electronically to the IRS. Motion by Schmidt, second by Holmen, unanimous vote to accept quote from Clifton Larson Allen for Affordable Care Act reporting services in the amount of \$3,300.

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Motion by Holmen, second by Schmidt, unanimous vote to approve January warrants as follows:

County Revenue Fund	\$ 28,479.61
County Building Fund	<u>20.97</u>
	\$ 28,500.58

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Kelly Thongvivong, County Coordinator, led discussion regarding the air conditioning unit at the courthouse. Consensus of the board is to have Schwalbachs look at the air conditioner to see if it needs to be repaired or replaced; and if replaced, a spec sheet should be put together for bids.

Thongvivong informed the board that two employees from the Highway Department had contacted her regarding their step raise. Consensus of the board is that no step raises will be given until the union contract is settled.

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Motion by Holmen, second by Appel, unanimous vote to recess as the board and convene as the Ditch Authority.

Motion by Appel, second by Gravley, unanimous vote to amend the ditch levy for County 20 – Carson, Midway Townships to a 30 percent levy for 2016.

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

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There being no further business, the meeting was adjourned at 11:45 a.m.

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Jan Johnson, Auditor/Treasurer

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Kevin Stevens, Board Chairman

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Kelly Thongvivong, County Coordinator