

March 13, 2007
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 13, 2007 at 9:00 a.m. at the Cottonwood County Law Enforcement Center in Windom, MN. Presiding over the meeting was Chairman Norm Holmen. Present for all or portions of the meeting were: Commissioners Norm Holmen, John Oeltjenbruns, Gary Sorenson, Tom White, Ron Kuecker; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Mike Hanson, Ron Gregg and Kathy Kretsch. Motion by White, second by Oeltjenbruns, unanimous vote to approve additions to the agenda. Motion by Sorenson, second by White, unanimous vote to approve the minutes of the March 6, 2007 meeting.

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Environmental Officer Mike Hanson met with the board to discuss a few items. Hanson presented a recommendation of the Planning Commission for approval of the establishment of a business for sales of farm machinery and trailers located in Selma Township. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve conditional use permit granted to Richard Thom based on conditions mentioned and on a recommendation of the Planning Commission.

Hanson asked that the board amend the Park budget to reflect added costs of recent mowing contract. The board decided to reduce three different line items (part-time employees, fuel, and equipment purchased) and to add these amounts for a total of \$8,400 into the "sub-contracted services" line item. Motion by Kuecker, second by Sorenson, unanimous vote to allow for these four changes to the Park budget.

Motion by Oeltjenbruns, second by White, unanimous vote to approve mowing contract for Gloyd Wellman.

Hanson informed the board that four of the individuals from the Environmental Office would be out of the office tomorrow, as they will be helping out with the Children's Water Festival in Mankato.

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Motion by White, second by Oeltjenbruns, unanimous roll call vote to adopt resolution as follows:

Resolution 07-03-13A
Support of the Completion of the Expansion of Trunk Highway 60 to a Four-Lane
from the City of Windom to the City of St. James

WHEREAS, the City of Windom is committed to the best interest of the citizens of Windom and the surrounding communities; and

WHEREAS, Trunk Highway 60 is a major transportation artery for the commerce in southwestern Minnesota and provides a vital economic link from the Twin Cities metropolitan area to Interstate 90 and communities adjacent to it; and

WHEREAS, the reconstruction of Trunk Highway 60 to a four-lane highway has been identified as a priority in the State of Minnesota for over 40 years, and the Minnesota Department of Transportation has designated Trunk Highway 60 as a Regional Transportation Corridor in the State of Minnesota; and

WHEREAS, the four-lane section of Trunk Highway 60 between the cities of Worthington and Windom was completed in 2004 and significant portions of the highway between the Cities of Windom and St. James have already been converted into a four-lane highway; and

WHEREAS, the traffic volume of passenger vehicles and semi-truck, as evidenced by traffic counts conducted by the Minnesota Department of Transportation, is more than sufficient to warrant such an expansion; and

WHEREAS, the two-lane to four-lane switch over between St. James, Butterfield, Mountain Lake, Bingham Lake and Windom has caused significant confusion and safety issues for motorists; and

WHEREAS, it is in the best interests of the County of Cottonwood, and the State of Minnesota, to complete the expansion of Trunk Highway 60 to four lanes between the City of Windom and the City of St. James.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

The Cottonwood County Board of Commissioners, on behalf of the citizens of Cottonwood County, supports the completion of Trunk Highway from the City of Windom to the City of St. James as a four-lane highway; and further requests that the funding be allocated by the State of Minnesota for the completion of this highway in 2007.

S/Jan Johnson, Auditor/Treasurer

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S/Norm Holmen, Board Chairman

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County Engineer Ron Gregg met with the board to discuss a few different items. Gregg asked that the board consider adopting a resolution in support of comprehensive road and transit funding. Motion by Sorenson, second by Oeltjenbruns to adopt resolution in support of funding. Voting aye: Sorenson, Oeltjenbruns, White and Holmen. Voting nay: Kuecker. Motion carried to adopt resolution as follows:

**Resolution 07-03-13
Requesting Comprehensive Road and Transit Funding in 2007**

WHEREAS, all Minnesota communities benefit from a sound, efficient and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, transportation analysts in consultation with the Minnesota Department of Transportation (MnDOT) estimate Minnesota will have to invest an additional \$1.5 billion per year in transportation infrastructure for the next ten years in order to meet identified needs; and

WHEREAS, the recently approved constitutional amendment that phases in dedication of 100 percent of the motor vehicles sales tax (MVST) for transportation purposes will address a fraction of the transportation funding needs in Minnesota, and total MVST revenues are not meeting projections; and

WHEREAS, transportation infrastructure maintenance and improvement costs significantly

contribute to rising property taxes; and

WHEREAS, lack of state funding has delayed regionally significant road construction and reconstruction projects across Minnesota; and

WHEREAS, local cost participation requirements for trunk highway projects are onerous and are contributing to strains on local budgets; and

WHEREAS, Minnesota's transportation system is failing to meet the capacity needs necessary to sustain population growth and promote economic development; and

WHEREAS, congestion, inefficient transportation systems and lack of transportation choices lead to greater dependence on foreign oil, increased environmental degradation, and economic disadvantages for Minnesota's businesses and residents; and

WHEREAS, many rural roads are not built to modern safety standards and are not meeting the needs of industries that depend on the ability to transport heavy loads; and

WHEREAS, current funding for roads and transit systems across all government levels in Minnesota is inadequate, and this under-investment hinders Minnesota's progress as a national business, economic and civic leader;

NOW, THEREFORE, BE IT RESOLVED THAT Cottonwood County requests that in 2007 the Minnesota Legislature pass a comprehensive transportation funding package that permanently increases dedicated funding for highways and transit in both Greater Minnesota and the Twin Cities Metropolitan Area and

BE IT FURTHER RESOLVED THAT Cottonwood County requests that in 2007 Governor Tim Pawlenty allow a comprehensive transportation funding package that permanently increases dedicated funding for transportation that is passed by the Legislature to become law; and

BE IT FURTHER RESOLVED THAT Cottonwood County supports funding options including, but not limited to, the following:

- An increase in the gas tax;
- Indexing of the gas tax;
- Increases in vehicle registration taxes (a.k.a. license tab fees);
- Trunk highway bonding, provided the Legislature implements reasonable restrictions on the amount of debt service the state will incur and provided the Legislature appropriates funding to assist with local costs related to projects funded with trunk highway bonds;
- General obligation bonding for local roads and bridges, particularly for roads of regional significance and to assist with local cost participation requirements pertaining to trunk highway projects;
- Sales tax exemptions for state and local transportation construction projects; and
- New local funding tools, such as local option sales tax authority, expanded wheelage tax authority and/or street utility authority.

S/Jan Johnson, Auditor/Treasurer

S/Norm Holmen, Board Chairman

Gregg asked that the board approve the lease agreement between the City of Westbrook and Cottonwood County for the Westbrook Recycling Center.

Motion by Kuecker, second by White, unanimous vote to approve lease agreement with the City of Westbrook at a rate of \$1500/year for 3 years.

Commissioner Sorenson discussed a situation in the Westbrook area with Gregg in regards to the development of a new C Store. Sorenson and Gregg will get together to look at this further.

Gregg presented two quotes for the purchase of two lift gates to be installed on the two new pickups. Quotes were as follows: Aspen Equipment - \$5,122.65 and Crysteel - \$4,302.94. Motion by Kuecker, second by Sorenson, unanimous vote to accept low quote in the amount of \$4,302.94 from Crysteel.

Gregg informed the board that the Solid Waste Department Local Union No. 578 has requested an evaluation and increase in pay comparable to other Solid Waste Departments in the region. Gregg will put together some information to present at a future meeting for consideration of the board.

Gregg reported that the county recently received refunds from Tri-County Recycling in the amount of \$5,428.70 (recycling) and \$219.79 (pesticide recycling).

The Highway Department road tour was scheduled for April 17th at 8:00am at the Windom Highway Shop.

Commissioner Sorenson informed Gregg that the owner of the Storden Drive Inn has some questions in regards to hauling to the landfill. Gregg and Sorenson will get together with the owner of the Drive Inn to address these issues later in the week.

Discussion was held in regards to a recent cell phone question that was raised through the Highway Department. The Highway Department seems to have the feeling that they would like to leave the current system in place and to not reimburse employees for their cell phones each month. A recommendation will be discussed further at the next board meeting.

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County Recorder Kathy Kretsch met with the board to seek approval to purchase a new tract index. One quote was received from Bear Graphics, Inc. in the amount of \$645. Motion by Sorenson, second by White, unanimous vote to accept quote from Bear Graphics, Inc. in the amount of \$645 as this is the only business that sells such a product.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to change county life insurance policy from \$13,000 to \$20,000 as the rate actually decreased and the county is able to offer more coverage for less cost. This new rate will be effective April 1, 2007.

Motion by Sorenson, second by Kuecker, unanimous vote to change Blue Cross Blue Shield ratio from 3:1 to 2.8:1 (single premium: family premium). Blue Cross Blue Shield will implement ratio change as soon as possible.

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Motion by Kuecker, second by Sorenson, unanimous vote to adopt resolution as follows:

Commissioner Kuecker introduced the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE SETTLEMENT OF THE
COUNTY RECORDER SALARY APPEAL
07-03-13B**

WHEREAS, On January 9, 2007, Cottonwood County, acting through the Board of Commissioners for Cottonwood County, established by resolution the salary for the County Recorder for the budget year 2007; and

WHEREAS, said salary resolution established the salary for the newly elected County Recorder, Kathleen Kretsch at \$42,000; and

WHEREAS, on January 24, 2007, Kathleen Kretsch, the Cottonwood County Recorder, did initiate an appeal of the 2007 County Recorder's salary, currently pending in Cottonwood County District Court, District Court File No. 17-CV-07-57; and

WHEREAS, the County Recorder has offered to dismiss her appeal in return for the Cottonwood County Board of Commissioners' agreement to review her salary in June, 2007, to determine, in its discretion, whether it deems it advisable to give her a salary increase for the remainder of the 2007 budget year, with said increase, if any occurred, taking effect as of July 1, 2007; and

WHEREAS, it is the desire of the County Board to minimize the costs, expenses and attorney's fees that it would incur in litigating the County Recorder's salary appeal in the case pending in District Court, and it is the desire of the County Board to resolve the dispute relating to salary and to avoid further administrative or judicial proceedings between the County and the County Recorder.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Cottonwood County Board of Commissioners will review the County Recorder's salary in June, 2007, to determine if it believes, in its discretion, that there should be any upward adjustment in Ms. Kretsch's salary for the remainder of the 2007 budget year.
2. If the Cottonwood County Board of Commissioners, in its discretion, determines that any upward adjustment in the County Recorder's salary is advisable, any such change in salary would take effect as of July 1, 2007.
3. The attorney for Cottonwood County is authorized to enter into a Stipulation of Dismissal With Prejudice and Order for Judgment of Dismissal with the County Recorder, Ms. Kathleen Kretsch, calling for the Cottonwood County District Court to enter an Order for Judgment of Dismissal and a judgment in the pending salary appeal.
4. Paragraphs 1 and 2 of this Resolution shall be effective upon said Stipulation of Dismissal With Prejudice and Order for Judgment of Dismissal being executed by Ms. Kretsch, filed with the Court, and an Order being entered thereon.

The motion for adoption of the foregoing Resolution was duly seconded by Commissioner Sorenson and upon vote being taken thereon, the following voted in favor thereof:

Commissioner Kuecker, Commissioner Sorenson, Commissioner White, Commissioner Oeltjenbruns and Commissioner Holmen

Whereupon said Resolution was declared duly passed and adopted.

Chairman Holmen shared a letter he received from the Anoka County Board of Commissioners in regards to court system costs.

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Motion by Sorenson, second by Kuecker, unanimous vote to increase the cost of the Commissioner's table and the presenter's table that are being custom-built by Joe Swift of Custom Wood Designs to an amount of \$6,000 to cover any future changes as requested by the board.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve March warrants as follows:

County Revenue Fund	\$105,845.62
Long Term Capital Outlay	\$ 9,130.81
County Building Fund	\$ 1,742.94
Ditch Fund	\$ 945.80
Road & Bridge Fund	\$ 60,835.29
Waste Abatement/SCORE	\$ 3,652.39
Landfill Enterprise Fund	<u>\$ 11,922.63</u>
TOTAL	\$194,075.48

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Two quotes were presented for the new workstation in the Commissioner's Room as follows: Corporate Express - \$3,450 and Dan's Office Supply - \$4,478. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept quote from Dan's Office Supply in the amount of \$4,478 as this quote included freight, delivery and installation.

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Brief discussion was held in regards to a question that was raised at the last Labor-Management Committee meeting regarding banning guns from county property. No action was taken.

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There being no further business, the meeting was adjourned.

Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Kelly Thongvivong, Bd. Adm. Assistant