

March 12, 2013  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 12, 2013 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman John Oeltjenbruns. Present for all or portions of the meeting were: Commissioners John Oeltjenbruns, Jim Schmidt, Kevin Stevens, Tom White, Norm Holmen; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Jane Hennagir, Brian Cooley, Gerry Engstrom, Gordy Olson, Rahn Larson, Dominic Jones, Lloyd Kalfs, Dave Bucklin, Alan Coners and Kay Clark. Motion by Holmen, second by Stevens, unanimous vote to approve additions to the agenda. Motion by White, second by Schmidt, unanimous vote to approve the minutes of the March 5, 2013 meeting.

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Jane Hennagir, Minnesota Counties Intergovernmental Trust, met with the board to present the annual report to Cottonwood County.

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Motion by Schmidt, second by White, unanimous vote to appoint Heidi Hansen to the Board of Adjustment representing District 1.

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Commissioner Schmidt gave an update regarding a lake six miles south of Westbrook. Schmidt informed the board that the DNR is hoping to dam up a portion of the lake.

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Motion by Holmen, second by Schmidt, unanimous vote to approve VISA bill in the amount of \$373.79, which was the hotel cost for one of the deputies to attend the Minnesota Governor's Conference in place of the Emergency Management Director.

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A copy of the job advertisement and the job rating form for the IT position was shared with the board. The deadline for applying for the position will be April 8<sup>th</sup>.

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Gerry Engstrom, Interim County Engineer, and Brian Cooley, Shop Supervisor, met with the board to discuss a few different items. Cooley presented three quotes for the purchase of a new front-end loader as follows: RDO Equipment (John Deere) - \$215,008.99, Titan Machinery (Case) - \$205,312.22, Ziegler (Cat) - \$251,172.28. Motion by White, second by Schmidt, unanimous vote to accept the low quote in the amount of \$205,312.22 off the state bid from Titan Machinery.

Motion by Schmidt, second by White, unanimous vote to approve the rental service agreements for uniforms per union contract and to allow Engstrom to sign.

Discussion was held regarding the possible rental of a machine to help with crack filling. Engstrom will do some further research on this issue before moving forward with any recommendations.

Motion by Holmen, second by Stevens, unanimous vote to allow Engstrom to obtain quotes for material for the seal coating of approximately 20 miles of road.

Motion by Holmen, second by Schmidt, unanimous vote approve copy machine maintenance contract for 2013 in the amount of \$485.10.

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Kyle Pillatzki, Engineering Tech/Landfill Supervisor, met with the board to discuss several items. Pillatzki reported that he contacted the City of Westbrook and found out that the county pays rent only for the building being utilized for recycling. Motion by White, second by Schmidt, unanimous vote to go along with Pillatzki's recommendation to discontinue the rental of the recycling building with the City of Westbrook the end of June 2013.

Pillatzki presented quotes for the purchase of a new recycling shed in Westbrook as follows: Pro Sheds - \$3,518.60, Dakota Storage - \$3,394.08 and Westbrook Home Center - \$3,024.93 (materials only). Pillatzki reported that the Westbrook High School shop teacher said that they would be able to help build the recycling shed and if they were not able to complete it, the highway department employees could finish it. Motion by Holmen, second by White, unanimous vote to accept the quote in the amount of \$3,024.93 for materials from the Westbrook Home Center. There was a suggestion to consider putting the names of the individuals responsible for building the recycling shed on it somewhere.

Motion by Schmidt, second by White, unanimous vote to amend the SCORE budget building line item and to increase the fund from \$3,000 to \$5,000.

Pillatzki reported that he contacted the City of Windom Water Department in regards to whether or not they would once again consider taking the leachate from the landfill and they do not want to take any leachate at this time. Pillatzki talked to the St. James Water Treatment Plant and they are okay with the landfill hauling there again if the county can get them a letter from our lab stating that the diethyl ether is an insignificant amount. Sample Tech took samples last week and will be sending something out today.

Pillatzki reported that a Notice of Violation was received on March 8<sup>th</sup>. There is corrective action required but no penalty at this time. Pillatzki shared with the board his plans to take care of the Notice of Violation and has plans to continue with the weekly readings to monitor the leachate levels.

Pillatzki reported that after filling out the Industrial Stormwater annual report it was apparent that the employees have not been properly trained in our permit and the duties required. There will be additional classes this year that the landfill operator will need to be certified in to be compliant with the permit.

Pillatzki asked that the board consider the acceptance of yard waste at the landfill. The rates would be similar to brush. Motion by Holmen, second by White, unanimous vote to allow Pillatzki to go through the necessary process with MPCA to accept yard waste at the landfill and to allow Pillatzki to set the tipping fee.

Pillatzki reported that Donna Stresemann did a great job at the Farm & Home show last weekend. He felt that it was an added bonus for both Cottonwood County and the Solid Waste Department.

Gordy Olson, Interim Planning & Zoning Administrator, met with the board to discuss a few items. Olson presented an application for a conditional use permit on behalf of Neil Bartel who is requesting to contract and operate an additional 2,000 head hog finishing facility adjacent to an existing 2,000 head hog finishing facility in Section 11 of Mountain Lake Township. A public hearing was held on March 6<sup>th</sup> with no complaints noted. Motion by Holmen, second by White, unanimous vote to approve conditional use application with three conditions as requested by the Planning Commission.

Olson presented the proposed revisions of the Cottonwood County SSTS Ordinance #38 and reported that the Planning Commission recommended that the board schedule a public hearing to consider the proposed changes. The result of the proposed changes will be a clearer definition of a property transfer as well as better coordination between the Zoning Ordinance and the Septic System Ordinance and the Property Transfer System Disclosure/Agreement form. A copy of the Cottonwood County Property Transfer Septic System Disclosure/Agreement Form was handed out for the board's review. The hope is that in the future this form will be filled out by every property transfer that occurs within the county. The board agreed to set a public hearing for April 9<sup>th</sup> at 10:00 a.m. to consider the proposed changes.

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Commissioner Oeltjenbruns gave an update regarding the Minnesota River Board's recent vote to reorganize. He reported that \$200,000 is needed to revitalize this group. Dave Bucklin and Kay Clark were also present for this discussion to voice their concerns.

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

Motion by White, second by Holmen, unanimous vote to allow Cottonwood County to contribute up to \$1,000 of cumulative ditch funds towards the training and certification of ditch viewers.

Motion by Holmen, second by Schmidt, unanimous vote to postpone the JD #31 public hearing that was originally scheduled for April 2<sup>nd</sup> indefinitely until hearing back from the Army Corp of Engineers.

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

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Motion by White, second by Schmidt, unanimous vote to approve March warrants as follows:

County Revenue Fund	\$124,352.70
Long Term Capital Outlay	\$ 9,641.16
Ditch Fund	\$ 613.09
Road & Bridge	\$ 85,408.48
Waste Abatement	\$ 750.00
Landfill Enterprise	<u>\$ 27,106.26</u>
	\$247,871.69

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

**Resolution 13-03-12  
Authorizing Application for  
Minnesota Housing and Finance Agency  
Family Homelessness Prevention and Assistance Program**

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention & Assistance Projects; and,

WHEREAS, Western Community Action has developed an application for the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program; and

WHEREAS, Western Community Action has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program;

NOW, THEREFORE, be it resolved that Western Community Action is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program in the county of Lyon, in Minnesota.

I hereby certify that the above is a true and correct copy of a resolution adopted by the Cottonwood County Board of Commissioners at their session on the 12<sup>th</sup> day of March, 2013, and as appears on the minutes of their record of proceedings.

S/John Oeltjenbruns, Board Chairman

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Commissioner Holmen presented the information he has been working on in regards to a Data Practices Policy for Cottonwood County including the designation of a Responsible Authority, Data Practices Compliance Official and Designee for each office/department. This will be discussed further at a future meeting after more information is obtained regarding the designees.

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Brief discussion was held regarding the transfer of the existing reserve account to Western Community Action. More information needs to be researched before further action is taken regarding the transfer of the funds.

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There being no further business, the meeting was adjourned at 12:02 p.m.

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Jan Johnson, Auditor/Treasurer

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John Oeltjenbruns, Board Chairman

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Kelly Thongvivong, Executive Assistant