June 5, 2012 Cottonwood County Board of Commissioners Regular Meeting Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, June 5, 2012 at 9:00 a.m. at the Cottonwood County Courthouse 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, Jim Schmidt, Tom White, Ron Kuecker; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Gale Bondhus, Wendy Krueger, Judy Markl, Roy Schmidt, Kelsey Carlson, Ron Gregg, Mike Haugen, Andy Geiger, Kevin Stevens, Brian Cooley, Alan Coners and Lloyd Kalfs.

Motion by Oeltjenbruns, second by White, unanimous vote to approve additions to the agenda. Motion by White, second by Schmidt, unanimous vote to approve the minutes of the May 22, 2012 meeting as amended.

County Assessor Gale Bondhus met with the board to present some information in regards to the Board of Equalization meeting that will be held on June 12th at 6:00 p.m.

Wendy Krueger and Judy Markl met with the board representing DNR Wildlife in regards to a land acquisition proposal for the purchase of 19.6 acres of property located in Section 33 of Southbrook Township that is currently owned by Ronald and Carol Porth. The Porth tract is located between the existing Talcot Lake Wildlife Management Area (WMA) and the 48-acre Voit WMA. The acquisition of this parcel helps build upon the wetland and grassland habitat complex in the area that is comprised of WMA and private conservation program lands. Motion by Kuecker, second by Schmidt, unanimous roll call vote to adopt resolution as follows:

Cottonwood County Board of County Commissioners Review of Proposed State Wildlife Land Acquisition Resolution 12-06-05

In accordance with Minnesota Statutes 97A.145 Subd. 2, the Commissioner of the Department of Natural Resources on June 5, 2012 provided the county board and appropriate town officers with a description of lands to be acquired by the State of Minnesota for water and wildlife conservation purposes.

Lands to be acquired are described as follows:

19.6 Acres in portion of the E 1/2 SE 1/4 Section 33, T105N-R38W Southbrook Township

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Cottonwood County on June 5, 2012 that the State's proposed acquisition of the above described property be approved.

This resolution was presented by Commissioner Kuecker, seconded by Commissioner Schmidt and upon vote was duly adopted.

S/Jan Johnson, Auditor/Treasurer

Roy Schmidt, landowner in Carson Township, met with the board in regards to dust control concerns/issues he has on County Road 44. Schmidt stated that he is currently paying to have a dust control product put on the road but it is only 20 feet wide and 400 feet long and even with the dust control product it is not a very good situation. The consensus of the board is not to reimburse Schmidt for any dust control costs. The board did suggest that when the Highway Department does their next road tour that they make it a point to view this particular area.

Kelsey Carlson, Windom Chamber of Commerce Director, met with the board to request permission to use the courthouse grounds for Riverfest activities on the square during the upcoming weekend celebration. Motion by White, second by Kuecker, unanimous vote to allow permission to use the courthouse grounds the weekend of June 8^{th} – 10^{th} .

Motion by Kuecker, second by Schmidt, unanimous vote to allow Andy Geiger to attend Minnesota Association of Planning & Zoning Administrators legislative update on June 14th & 15th in St. Cloud and the Minnesota Association of County Agricultural Inspectors Conference July 23-25 in Hibbing and to use the county credit card.

County Engineer Ron Gregg met with the board to discuss several items. Gregg presented a request for a personal leave of absence without pay for Cherie Winters. Motion by White, second by Schmidt, unanimous vote to approve the request for an unpaid leave of absence for Cherie Winters for a period of time up until July 31, 2012.

Gregg gave an update regarding the gravel mining. Gregg reported that the American Testing and Engineering Report is done and has been sent to all of the commissioners for their review. The results are very good for producing Class 5 material, which is desirable for road gravel. Red Rock Rural Water and the Highway Department have applied for a conditional use permit for mining purposes. The next step is to develop a sub-lease agreement between Red Rock Rural Water and Cottonwood County Highway Department for the mining on the property. There is an estimated 120,000 tons of gravel to be mined in this area. County Attorney Nick Anderson, Dominic Jones and Gregg will work to develop a sub-lease agreement.

Gregg presented results of the bid opening for the Highway Township bridge replacement project (SAP 17-599-94) that were opened on June 4th as follows: Veenstra & Son LLC - \$88,748.24; Mathiowetz Construction Co. - \$87,444.00; Midwest Contracting - \$96,748.00; R & G Construction - \$93,048.50; Pugh Brothers Excavating - \$90,568.95. Motion by Kuecker, second by Schmidt, unanimous vote to award low bid in the amount of \$87,444.00 to Mathiowetz Construction Co.

Gregg asked the board to review and approve the purchase of a tandem truck with snowplow equipment. Bids (on file in the Commissioners Office) were sent to

the commissioners prior to the meeting for their review. Motion by White, second by Oeltjenbruns, unanimous vote to approve the purchase of a tandem truck in the amount of \$104,166.79 from Boyer International, Inc. and the purchase of snowplow equipment in the amount of \$78,344.36 from Sanitation Products Inc. The low bid for snowplow equipment was not accepted due to the possible compatibility problems with our present equipment.

Motion by White, second by Schmidt, unanimous vote to approve budget change request which allows for a change to line item 6630 "Equipment Purchased" in the Road & Bridge Fund from \$273,115 to \$324,382.15. The reason for the increase to the budget is to allow for the purchase of 3 pickup trucks in the amount of \$81,343, radios in the amount of \$60,528 and the tandem truck and snowplow equipment in the amount of \$182,511.15.

Motion by White, second by Kuecker, unanimous vote to transfer \$67,500 from Fund 6 (SCORE) to Fund 3 (Road & Bridge).

Motion by Schmidt, second by Kuecker, unanimous vote to approve budget change request which allows for a change to line item 6283 "Road Construction" in the Road & Bridge Fund from \$2,324,000 to \$2,327,366.90. The reason for the increase to the budget is for shoulder paving for parking along County Road 53 at the Double Lake dock access. The paving quote was \$3,366.90.

Discussion was held regarding the engineering tech/sign man position that was recently sent to Ann Antonsen, Springsted, Inc. and Wayne Brede to get a recommendation for the salary range for this position. Further follow-up will be done by Kelly Thongvivong due to a discrepancy with some of the results received.

Gregg gave an update regarding the Stipulated Agreement that was originally discussed in August of 2011 with MPCA officials. Gregg reported that the \$5,000 fine that had been proposed originally by MPCA has been reduced to a \$500 administrative penalty for not getting reports in on time.

Commissioner White asked that Gregg look at the correspondence that was sent to MPCA by Gregg on October 12, 2010 and give a response to the board as to how Gregg thinks the situation progressed and what went wrong with the timeline.

Commissioner Schmidt complimented Lonn Engler regarding a recent visit by someone to the landfill and how Engler took care of this person's needs.

Gregg reported that there would be a household hazardous waste inspection tomorrow. He is hoping that it will pass inspection and MPCA will allow for the reinstatement of the current permit to continue with collections.

Mike Haugen, City of Windom, and Andy Geiger, Planning & Zoning Administrator, met with the board in regards to the septic system at the N. 71 Building. Haugen reported that as of May 18th, the city was awarded a grant to extend water and sewer to Industrial Park. The county might want to explore the option of getting hooked up to water and sewer at this time as opposed to replacing the septic system at the N. 71 Building. Commissioner White agreed to do some follow-up with Tony Nichols in regards to this matter since the board recently accepted a bid from Nichols to replace the existing septic system.

Geiger gave an update regarding the dock at Double Lake. He reported that the Red Rock Sportsmen's Club should not have an issue with getting the dock in and out of the lake each year. Geiger also reported that the DNR will not sign an agreement with a private club but will sign an agreement with the county. The county can then in turn sign an agreement with the Sportsmen's Club.

Geiger handed out a letter that he prepared which he plans to discuss at the next board meeting in regards to some issues that he intends to deal with at the landfill.

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Motion by Kuecker, second by White, unanimous vote to clarify from the minutes of the May 8th meeting that Kaylene Gohr will accumulate vacation and sick leave at the same rate as that of a 6th year employee effective May 14, 2012.

Motion by Oeltjenbruns, second by Kuecker, unanimous vote to approve purchase in the amount of \$175.99 from Consolidated Plastics Company, Inc. for a fatigue mat that was purchased on May 23rd by Kathy Kretsch with the county credit card.

Further discussion was held regarding quotes for an air conditioning unit for the courthouse. A factory representative from Mitsubishi agreed to do a walk-thru of the courthouse on June 13th to give recommendations for an air conditioning system.

Brief discussion was held regarding the west entrance steps of the courthouse that are currently being replaced. Auditor/Treasurer Jan Johnson reported that heated steps would be installed on the west side entrance during the process of replacement at an additional cost of approximately \$11,500.

A draft copy of a Driver and Vehicle Services (DVS) lease for a driver exam station in Windom was presented for the board's review. County Attorney Nick Anderson had some suggestions that he feels should be added to the draft copy of the lease and the rental rate could be negotiated for a higher rate. Auditor/Treasurer Jan Johnson would like to work with the County Attorney and Holly Folkers, who is the lease coordinator for the Minnesota Department of Public Safety to incorporate some of the changes that were mentioned.

Discussion was held regarding the Southwestern Mental Health Center Administrative Building contract. Because there are still a few questions/concerns in regards to where the funds would come from if one of the counties were to choose to get out of the organization at some point in the future, no action was taken. This will be discussed again at the next board meeting.

Discussion was held regarding the landscaping around the N. 71 Building. It was suggested that some of the shrubs should be removed and everything should

be cleaned out. Commissioner Oeltjenbruns agreed to talk to Nickel Construction in regards to landscaping of the area and putting together a possible plan to present.

Commissioner Schmidt asked to have some discussion regarding bidding of health insurance for 2013. Currently the bidding process is handled through the Southwest/West Central Service Cooperative since the county is a member of the Coop. Schmidt will do some further follow-up in regards to the bidding process.

Brief discussion was held regarding a request to change the June Family Service Agency meeting date to the 3rd Tuesday. The board agreed to keep the meeting for the 4th Tuesday as was previously scheduled.

Chairman Holmen updated the board on a few different items such as the Southwest/South Central Rental Rehabilitation Deferred Loan Program and the DEED Program.

Commissioner Oeltjenbruns gave an update regarding RC & D. He reported that it is not looking good for the organization, as they are not getting any funding at this time.

Oeltjenbruns also reported that the Energy Board currently has 17 members as three new counties have recently joined.

Brief discussion was held regarding transit and the three C's (Cooperation, Consolidation and Coordination) that has been discussed quite a bit lately. MnDOT is strongly encouraging participation amongst transit systems with some form of cooperation, consolidation or coordination as funding could be reduced if systems choose not to participate.

Motion by White, second by Schmidt, unanimous vote to allow Leslie Makovsky to receive a cell phone allowance for June, July and August due to the fact that she has to use her own personal cell phone while working at Talcot Park.

Discussion was held regarding a possible personnel matter. The board decided to take the advice of the County Attorney and to research further the possibility of forming a Personnel Committee to discuss this employee's performance. A meeting will be held with the County Attorney, Chairman Holmen and Kelly Thongvivong, HR Specialist, to discuss this further before proceeding with the formation of a Personnel Committee.

There being no further business, the meeting adjourned at 1:30 p.m.

Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Kelly Thongvivong, Executive Assistant