

March 23, 2010  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 23, 2010 at 1:00 p.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Tom White. Present for all or portions of the meeting were: Commissioners Tom White, Ron Kuecker, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Dominic Jones, Ron Gregg, Jim Jorgensen, Mike Hanson, Kevin Heggseth and Gale Bondhus. Absent was Commissioner Norm Holmen.

Motion by Kuecker, second by Oeltjenbruns, unanimous vote to approve additions to the agenda. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve the minutes of the March 9, 2010 meeting as amended.

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Dominic Jones met with the board representing Red Rock Rural Water. Jones gave an update regarding an expansion project that was approved as part of the stimulus funding through USDA. Jones asked that Cottonwood County be designated as the lead county for this expansion. Motion by Kuecker, second by Sorenson, unanimous roll call vote (Commissioner Holmen was absent) to adopt resolution as follows:

**Resolution Authorizing Execution of Joint Powers Agreement and Authorizing Cottonwood County to Issue Bonds Pertaining to Red Rock Rural Water Expansion**

**Resolution 10-03-23**

**WHEREAS**, the multiple county rural water, Red Rock Rural Water System, is in the process of and anticipates the extension of its water supply system for the service of an additional 125 to 150 users in the counties of Cottonwood, Jackson, Watonwan, Murray, Martin, Lyon, Redwood and Brown; and

**WHEREAS**, the majority of the capital improvements are located in the county of Cottonwood, and a large number of users to be included in the proposed expansion are residents of Cottonwood County; and

**WHEREAS**, in order for the extension project to be financed, it will be necessary for the responsible county or counties to issue bonds necessary to fund the expansion in the amount of \$1,768,000.00 and to enter into joint powers agreements with other counties within the expansion system to govern the repayment of said bonds; and

**WHEREAS**, because a large portion of the capital improvements are located in the county of Cottonwood, and a large number of users to be included in the proposed expansion are residents of Cottonwood County, it is prudent and in the best interests of Cottonwood County and its rural water users to be the issuing county of said bonds necessary to fund said expansion project.

**BE IT HEREBY RESOLVED** that the Chairman and the Auditor shall be authorized to execute the joint powers agreement relative to the Red Rock Rural Water expansion project, authorizing

Cottonwood County to issue bonds necessary to fund said expansion in the amount of \$1,768,000.00 and to have said joint powers agreement governing the repayment of said bonds; said joint powers agreement being executed with the understanding that the other counties served within the expansion project, Jackson, Watonwan, Murray, Martin, Lyon, Redwood and Brown, will also join in said joint powers agreement.

S/Jan Johnson, Auditor/Treasurer

Motion by Oeltjenbruns, second by Sorenson, unanimous roll call vote (Commissioner Holmen was absent) to adopt resolution as follows:

**Resolution Pertaining to Joint Powers Agreement  
Red Rock Rural Water System  
2009-2010 Expansion Bonding**

**Resolution 10-03-23A**

**BE IT RESOLVED** that the Cottonwood County Board of Commissioners, State of Minnesota, at its duly convened meeting and pursuant to discussions had, and pursuant to motion by Commissioner Oeltjenbruns, and seconded by Commissioner Sorenson, duly resolved as follows:

Hereby approved Joint Powers Agreement among the counties of Cottonwood, Jackson, Watonwan, Murray, Martin, Lyon, Redwood and Brown and directing the Chairman and/or Clerk/Auditor to execute the Joint Powers Agreement relative to the Red Rock Rural Water System expansion, and authorizing Cottonwood County to issue the necessary interim financing bonds and long-term financing bonds to fund said system expansion and to have said Joint Powers Agreement govern the repayment of said bonds; said Joint Powers Agreement being executed with the understanding that the counties of Cottonwood, Jackson, Watonwan, Murray, Martin, Lyon, Redwood and Brown would all be parties to this Agreement.

S/Tom White, Board Chairman

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S/Jan Johnson, Auditor/Treasurer

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County Engineer Ron Gregg met with the board to discuss several items. Gregg asked that the board review and approve a resolution pertaining to a Nobles County road change in the City of Dundee. Motion by Kuecker, second by Sorenson, unanimous roll call vote (Commissioner Holmen was absent) to adopt resolution as follows:

**Resolution 10-03-23B**

**WHEREAS**, Nobles County, Minnesota proposes to designate County Road 55 in the City of Dundee from Cottonwood County State Aid Highway 19 west a distance of 309 feet, located along the Cottonwood County border with Nobles County, as a County State Aid Highway, and,

**WHEREAS**, State Aid rules require that Cottonwood County approve the designation due to a portion of roadway being located within Cottonwood County, and,

**WHEREAS**, Nobles County will use their available County State Aid Highway mileage for this designation, and,

**WHEREAS**, Nobles County accepts responsibility for all future maintenance and construction costs associated with this roadway,

**NOW, THEREFORE, BE IT RESOLVED**, by the Cottonwood County Board of Commissioners that the designation of this segment of roadway as a County State Aid Highway is approved.

S/Jan Johnson, Auditor/Treasurer

Gregg presented requested changes to the Recycling, Landfill and Road & Bridge budgets. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept changes to the Recycling budget as presented by Gregg as follows: reduce line item 6920 "Transfers Out" from \$46,500 to \$0.00; reduce line item 6630 "Equipment Purchased" from \$24,800 to \$0.00. With the above mentioned line item deductions, the expenditures are reduced to \$248,558 leaving a net balance of \$27,792.

Motion by Kuecker, second by Oeltjenbruns, unanimous vote to accept changes to the Landfill Enterprise Fund as presented by Gregg as follows: reduce line item 6274 "Architects & Engineers" from \$60,000 to \$12,000; reduce line item 6287 "Contractors" from \$65,000 to \$43,000; reduce line item 6301 "Building & Grounds Repair" from \$18,000 to \$3,000; reduce line item "Equipment Purchase" from \$25,000 to \$15,000; reduce line item 6826 "Tire Disposal" from \$10,000 to \$8,000. With the above mentioned line item deductions, the expenditures are reduced to \$323,757 which in turn nearly balances the landfill budget.

Motion by Kuecker, second by Sorenson, unanimous vote to accept changes to the Road & Bridge Budget as presented by Gregg as follows: increase line item 6355 "Property and Casualty Insurance" within Administration from \$52,722 to \$53,700; increase line item 6359 "Workers Compensation Premium" with Administration from \$49,552 to \$54,000; reduce line item 6630 "Equipment Purchased" within Equipment, Maintenance & Shop from \$306,000 to \$160,187. With the above mentioned line item changes, the expenditures are reduced to \$6,819,923 which in turn balances the Road & Bridge budget.

Gregg gave an update regarding resident concerns with County Road No. 99, which is located north of Highway 30.

Updates were given regarding two grievances that were filed by the AFSCME union representing the Highway Department. The grievances will be denied and the union representative will be invited to attend the April 6<sup>th</sup> board meeting to discuss the matter further.

Gregg reported that the Stipulation Agreement between MPCA and Cottonwood County is now complete.

Gregg reported that the engineering cost for the Jeffers Main Street project CSAH 32 is estimated to cost approximately \$53,000.

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Chief Deputy Sheriff Jim Jorgensen met with the board to present a letter of resignation from a full-time jailer/dispatcher. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept letter of resignation from Cheryl Lohre

effective March 18, 2010 with appropriate payout of benefits.

Motion by Oeltjenbruns, second by Kuecker, unanimous vote to allow the Sheriff to post internally for the full-time jailer/dispatcher position for a 7-day period.

Jorgensen reported that the Sheriff's Department has been having some problems with the booking computer and they have been advised to look into replacing it since it is having issues with shutting down by itself. A state bid in the amount of \$777.35 was received from DELL. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept state bid in the amount of \$777.35 from DELL for the replacement of the booking computer.

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Discussion was held regarding consideration of changes to the pay study report as submitted by Wayne Brede on March 2<sup>nd</sup>. Because there were still some unanswered questions and because Commissioner Holmen was not in attendance at the meeting, the board agreed to hold off on making any decisions until the April 6<sup>th</sup> board meeting.

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Environmental Officer Mike Hanson met with the board in regards to a bill in the amount of \$10,500.00 dated October 15, 2009 that was submitted by Tony's Backhoe & Grading. Hanson explained that he has been working with the State Department of Ag on the funding as the bill is to be paid with low interest septic loan funds and not county funding.

Brief discussion was held regarding the reimbursement of a pair of boots that was purchased by an employee that was not an allowable expense. Hanson referenced the minutes of the February 10, 2004 meeting. The consensus of the board was to have this employee reimburse the county for the cost of the boots.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve billing in the amount of \$7,183.20 to Alpha Wireless for yearly radio maintenance agreement for the Sheriff's Department.

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Auditor/Treasurer Jan Johnson reported that Cottonwood County recently received Recovery Zone (RZ) Economic Development and Facility Bonding authority allocated by the U.S. Treasury, through the American Recovery and Reinvestment Act (ARRA). Cottonwood County received \$12,000 in RZED and \$18,000 in RZFB allocations. If the county decides not to utilize all or part of the bond authority, the county is asked to return the unused allocation to the State. Motion by Kuecker, second by Sorenson, unanimous vote to certify that Cottonwood County has waived all of its recovery zone economic development bond allocations and recovery zone facility bond allocations totally \$30,000 and to return the unused allocation to the State.

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Commissioner Oeltjenbruns gave an update regarding a few different meetings (Energy Board and Solid Waste Commission) he recently attended. He

reported that SCORE funding would be cut by 2% this year. Oeltjenbruns also reported that RC & D would not be receiving \$20,000 funding this year. Motion by Oeltjenbruns, second by Kuecker, unanimous vote to authorize Chairman White to sign letter to be sent to legislators regarding FY 2011 Funding for the Resource Conservation and Development (RC & D) Program in Agriculture Appropriations.

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Commissioner Kuecker gave a brief update regarding the Department Head meeting he attended on March 16<sup>th</sup>. He also commented on the SWMH Six County 911 Dispatch Group that has been studying the concept of a Regional Dispatch Center which Cottonwood County initially chose not to be a part of.

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Commissioner Sorenson gave an update regarding an investigation that is currently being conducted by Deputy Jeff LaCanne and updated the board about GMO crop information.

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Motion by Sorenson, second by Kuecker, unanimous vote to allow Chairman White to sign Letter of Understanding between Cottonwood County and the State Auditors for Services for the 2009 Audit.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to draw up a written statement that says that Cottonwood County requires uniforms to be worn by the Solid Waste Department Union employees and that these supplied uniforms will consist of a shirt and pants and are not to be worn for general use outside of working hours.

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Motion by Sorenson, second by Kuecker, unanimous vote to use our current agent (OCHS) to put together RFP for life insurance benefit as the county is due to have this completed.

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Brief discussion was held regarding phone system presentations. There are two more presentations scheduled for the month of April. No additional presentations will be scheduled at this time.

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Chairman White gave an update regarding a company called Trident that is currently trying to compete with MCIT.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to allow Kelly Thongvong to attend MCIT training entitled "Dealing with Difficult Employees" in St. Cloud on April 22<sup>nd</sup>.

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Brief discussion was held regarding the county's tobacco ordinance. Dannielle Peters from Community Health Services is looking for a couple of representatives from the board to help work on potential revisions to the

existing ordinance. Chairman White appointed himself and Commissioner Holmen to be the commissioner contacts.

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Chairman White mentioned a tile issue involving trees that he just became aware of that involves a tile between Jackson and Cottonwood counties. He plans to look into this matter further to determine if there are tree roots in the tile.

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Commissioner Kuecker had a few comments in regards to the recycling rebate as well as the cost of a truck that was recently purchased at the Highway Department.

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Commissioner Oeltjenbruns expressed his hesitation with dropping out of the Minnesota River Board at this time due to grant funding being made available. The Joint Powers Agreement will need to be referenced before taking any further action.

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There being no further business, the meeting adjourned at 4:37 p.m.

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Jan Johnson, Auditor/Treasurer

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Tom White, Board Chairman

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Kelly Thongvong, Bd. Adm. Assistant