

February 7, 2012
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, February 7, 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, Tom White, Jim Schmidt, Ron Kuecker; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Todd Dibble, Ron Gregg, Rick Rud, Dave Bucklin, Rahn Larson, Jon Diemer and Gary Heinzig.

Motion by Kuecker, second by White, unanimous vote to approve additions to the agenda. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve the minutes of the January 24, 2012 meeting.

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Motion by Kuecker, second by White, unanimous vote to allow Chairman Holmen to receive a per diem for the Southwest Regional Preparedness Team Meeting that he attended in Lakefield on February 6, 2012.

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Motion by Schmidt, second by Oeltjenbruns, unanimous vote to recess as the County Board and to convene as the Ditch Authority to hold a conference call with Murray County regarding a petition for improvement for JD #3.

Pursuant to notice given, the Murray County and Cottonwood County Boards met jointly via speakerphone with the following members present: Murray County Commissioners - William J. Sauer, Robert Moline, Gerald Magnus, John Giese and Kevin Vickerman; Cottonwood County Commissioners – Norman Holmen, Jim Schmidt, Ron Kuecker, Tom White and John Oeltjenbruns. Also present were Murray County Attorney, Paul Malone, Cottonwood County Attorney, Nick Anderson; Murray County Auditor-Treasurer, Heidi E. Winter; Cottonwood County Auditor-Treasurer, Jan Johnson and Cottonwood County Executive Assistant Kelly Thongvivong. Kurt Deter, Attorney for the Petitioners, was also present.

Commissioners were named to the Murray-Cottonwood Joint Drainage Authority Board for Judicial Ditch No. 3 as follows: Murray County Commissioners: Robert Moline, Kevin Vickerman and William J. Sauer. Cottonwood County Commissioners: Norman Holmen and Jim Schmidt

The Joint Board was presented with three Petitions for the Improvement of Judicial Ditch No. 3, pursuant to Minnesota Statutes 103E.215. Attorney Paul Malone reported that he has reviewed the three Petitions and finds them in order, also stating that the Petitioners intend to consolidate the three petitions into one.

Commissioner William J. Sauer offered the following resolution and moved its adoption:

Resolution 2012-02-07-01

Resolution of the Murray-Cottonwood Joint Drainage Authority
Accepting Consolidated Petitions and Appointing an Engineer for the
Improvement of Portions of Judicial Ditch No. 3

WHEREAS, three Petitions for the Improvement of portions of Judicial Ditch Number 3 have been submitted to the Murray-Cottonwood Joint Drainage Authority Board; and

WHEREAS, the Murray County Attorney has made a preliminary review of the Petitions pursuant to Minnesota Statutes 103E.215, determining that the requirements of the Petition and Bond have been met; and

WHEREAS, it is the desire of the Petitioners that the three Petitions be consolidated into one and that an engineer be appointed to proceed to prepare a preliminary Engineering Report.

NOW THEREFORE BE IT RESOLVED, by the Murray-Cottonwood Joint Drainage Authority Board, that three Petitions for the Improvement of portions of Judicial Ditch Number 3 are hereby accepted and consolidated.

BE IT FURTHER RESOLVED, that Duane Hansel is appointed as the qualified engineer on this Improvement to Judicial Ditch No. 3.

ALSO BE IT FURTHER RESOLVED, that cash of \$18,750 received from the petitioners be accepted in lieu of bond.

The foregoing resolution was duly seconded by Commissioner Kevin Vickerman and thereupon being put to a vote all members voted unanimously for its adoption.

There being no further business appearing before the Joint Board the meeting was adjourned at 9:25 a.m.

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

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Veterans Service Officer Todd Dibble met with the board to ask for approval to apply for an Operational Grant. This grant is in the amount of \$1,400 and is offered every three years. Motion by Kuecker, second by Schmidt, unanimous vote to allow Dibble to apply for the operational grant in the amount of \$1,400.

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Commissioner Kuecker gave an update regarding a Joint Committee Meeting he attended on January 30th with the City of Windom and the Windom School District. Their next meeting is scheduled for April 2nd at 5:00 p.m. at the Windom School. County Attorney Nick Anderson was asked to do some further research on the Open Meeting Law and to discuss this with the other two groups.

Kuecker gave an update regarding a recent SWCD District Meeting he attended. He reported that Lloyd Kalfs should be licensed in septic systems by the end of March 2012. Brief discussion was held in regards to Al Coners' position and whether he might be utilized as a consultant after Kalfs becomes licensed.

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County Engineer Ron Gregg met with the board to discuss several items. Discussion was held regarding Cottonwood County's possible involvement with the Southwest Regional Recycling Facility in Murray County. A meeting was recently held in Slayton to explore the possibilities. There were 12 counties represented at the meeting. Redwood and Renville Counties presently have their own group and they voiced their concerns with the possible formation of yet another group. The

board seemed to agree that they would like to move forward with exploring the possibilities of such a venture before committing any dollars to a feasibility study. This may be discussed at the next Solid Waste Commission meeting on February 13th. Commissioner Kuecker expressed opposition to the plan.

Gregg presented the 2011 final budget numbers for the Highway Department and requested the board to make a fund transfer of \$850,000 from the General Fund to make the Road & Bridge (Highway) Account whole. This will cover an average loan balance of \$600,000 and create a \$250,000 fund balance for the Road & Bridge (Highway) Department. Gregg also requested that Fund 6 of the Capital Outlay Fund be transferred to the Road & Bridge (Highway) Account for the purchase of pickup trucks. Fund 6 currently has a balance of \$67,500.

Discussion was held regarding the amount that is currently levied to both the Highway Department and to Family Services. The board seemed to agree that they would like the Highway Department and Family Services to each receive the exact amount that is levied each year in two equal payments as taxes are paid. They would then designate delinquent taxes to be deposited in the General Revenue fund. This will be discussed further at the next board meeting for possible action.

Further discussion was held regarding Gregg's request to transfer funds from the General Revenue to the Road & Bridge (Highway) Account as well as his request to transfer funds from the SCORE account to the Road & Bridge (Highway) Account. The board asked that Gregg provide to them further information before they can consider acting on the request.

Gregg requested review and approval of a resolution designating the county website as the county's official advertising location. Motion by Oeltjenbruns, second by Schmidt, unanimous roll call vote to adopt resolution as follows:

Cottonwood County Board Of Commissioners

Resolution No: 12-02-07

To Use Alternative Method to Disseminate Bids and Requests

WHEREAS, Minn. Statute § 311A.03 Subd. 3(b), allows a county to use its web-site 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, as an alternative means to disseminate solicitations of bids, requests for information, and requests for proposals for transportation related construction and maintenance projects.

BE IT 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 Minn. Statute § 331A.03 Subd. 3.

S/Norman Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Gregg requested board approval to make final payment on SAP 17-32-01 (Jeffers Main Street reconstruction project). The final payment is \$43,428.90. Motion by Kuecker, second by Schmidt, unanimous vote to approve final payment in the amount of \$43,428.90 as presented by Gregg.

Gregg reported that he recently received notification that the leachate dump station in St. James is no longer accepting the leachate from the Cottonwood County landfill effective immediately. Gregg is working to come up with an alternative plan of where Cottonwood County may be able to transport the leachate from the landfill. Commissioner White made a suggestion to look into the possibility of utilizing an employee that has a CDL license and makes a lower salary to help with hauling the leachate to another facility.

Brief discussion was held regarding employee reimbursement for a clothing purchase that was made as part of the Highway Department union contract. Gregg was authorized to reimburse the employee \$100.00 as per union contract.

Question was asked of Gregg regarding training opportunities for Steve Burdick, Heavy Equipment Mechanic. Burdick has been told to bring training opportunities to Gregg's attention that will further him in his abilities to repair Cottonwood County equipment if he feels the need to attend additional training.

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Rick Rud, Waste Management, met with the board to give an update on recycling in Cottonwood County after one month of service. Rud thanked Ron Gregg and his team for a job well done during the transition with the recycling program. Rud reported that 3,300 residential containers have been rolled out. Commercial recycling has almost doubled. There are a few issues that Waste Management is working through at this time. Rud reported on the possibility that a few of the routes may be modified and consolidated in the future. Waste Management is happy with the residents of Cottonwood County and their response to recycling at this time.

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Motion by Kuecker, second by Schmidt, unanimous vote to allow for the payout of accrued vacation and sick leave to Bill Hamilton, Solid Waste Worker, according to policy.

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Commissioner Kuecker gave a few more updates regarding meetings that he has recently attended. Kuecker reported that the Law Library financial report shows that expenses have been exceeding revenue for quite some time.

The Cottonwood County Historical Society recently received a grant for \$19,000 that will be used to pay for a military exhibit. The Storden Legion Club has been good to work with. A private gift of \$25,000 was recently received and this will be used towards the building's heating and air conditioning unit.

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Discussion was held regarding the Planning & Zoning/Parks/Veterans Services Administrative Assistant job description. The board instructed Chairman

Holmen and Executive Assistant/HR Specialist Kelly Thongvivong to work together to better define the job description to be presented at the next board meeting.

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A letter was received by the board from the Cottonwood County deputies in response to recent union negotiations. A copy of this letter will be kept on file as part of the information presented at the February 7, 2012 county board meeting.

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It was reported that a letter was received in regards to a proposed establishment of a TIF District for the Good Samaritan Society of Mt. Lake for a new addition to their building.

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Commissioner Schmidt presented an Agreement for Advancement and Repayment of Funds for the Southwestern Mental Health Center. It was noted that there are many parts of the agreement that are not correct. This will be discussed in greater detail at the Family Services Annual Meeting this afternoon.

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A monthly report was handed out for the board's review.

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Commissioner Kuecker gave an update regarding the Minnesota River Board meeting he recently attended as an alternate for Commissioner Oeltjenbruns. Kuecker reported that there were a few very good presenters at the meeting.

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The board reviewed the recommended pointing/salary range of the Executive Assistant/Human Resources Specialist/Transit Director position based on increased job duties as approved at the board meeting on December 27, 2011. It was reported that Ann Antonsen, Springsted, Inc. recommended that the Hay System points for this position be increased from 358 to 417 points. Information was also received from Wayne Brede, Human Resource Consultant, regarding his recommendation for a salary range (12 Exempt) for this position as well as the prevailing wage rate that he came up with. After further discussion, there was a motion by White, second by Kuecker, unanimous vote to increase the Hay System points from 358 to 417 for this position and to set the hourly salary at \$23.50/hour (Step 11) with retro pay allowed for hours worked since January 1, 2012. A new pay matrix will be developed for this position with the new points that were established.

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There being no further business, the meeting adjourned at 12:33 p.m.

Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Kelly Thongvivong, Executive Assistant