

September 11, 2012  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, September 11, 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; Crystal Reith, Kay Clark, Ron Gregg and Andy Geiger.

Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve additions to the agenda. Motion by White, second by Kuecker, unanimous vote to approve the minutes of the September 4, 2012 meeting as amended.

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Crystal Reith, 4-H Program Coordinator, met with the board to give an update regarding recent activities of the 4-H Program.

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Kay Clark, SWCD District Administrator, met with the board to discuss a few items. Clark reported that the 2013 Board of Water and Soil Resources Natural Resources Block Grant Agreement was recently received. Motion by Kuecker, second by Schmidt, unanimous vote to accept BWSR NRBG Grant Agreement and to allow Chairman Holmen to sign.

Clark asked for approval of the adoption of the Cottonwood County Comprehensive Local Water Management Plan Amendment. Motion by White, second by Oeltjenbruns, unanimous roll call vote to adopt resolution as follows:

**Adoption and Implementation  
after BWSR approval**

**Resolution 12-09-11**

**WHEREAS**, the Cottonwood County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Cottonwood County Comprehensive Local Water Management Plan has been approved according to Minnesota Statutes Chapter 103B.301:

**NOW, THEREFORE BE IT RESOLVED**, the Cottonwood County Board of Commissioners hereby adopts and will begin implementation of its approved comprehensive water plan.

**BE IT FURTHER RESOLVED**, after the adoption of the local comprehensive water management plan, the Cottonwood County Board shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable and approved comprehensive water plan.

**BE IT FURTHER RESOLVED**, after the adoption of the local comprehensive water management plan, Cottonwood County shall notify local units of government within the County of the adoption of the plan or amendments to the plan. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the County Board for review.

**BE IT FURTHER RESOLVED**, within 180 days, the Cottonwood County Board shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls, and local comprehensive water management plan. The Cottonwood County Board shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the local comprehensive water management plan.

**BE IT FURTHER RESOLVED**, if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

**BE IT FURTHER RESOLVED**, after receiving the recommendations of the Cottonwood County Board, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the Cottonwood County Board for review and recommendations.

Adopted September 11, 2012.

S/Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Discussion was held regarding recent issues regarding septic systems and who should be the point of contact for these issues in Cottonwood County. Clark will work with Andy Geiger to develop a protocol for dealing with future septic issues should they arise.

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County Engineer Ron Gregg met with the board to discuss several items. Gregg requested approval to make final payment on the 2012 overlay projects SAP 17-604-19 and SAP 17-606-26 in the amount of \$103,114.53. The original contract amount was \$1,629,419.67 and the final contract amount was \$1,625,460.11. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve the final payment in the amount of \$103,114.53.

Gregg presented the Cottonwood County Highway Department budget for the board's review. Brief discussion was held regarding the crushing of gravel as it relates to the Thomas Property.

Gregg requested that the board re-evaluate the job description of the Highway Office Manager/Accountant to reflect a change in duties and asked that the board consider sending in the job description for a possible pointing change. Motion by Kuecker, second by Schmidt, unanimous vote to approve the updating of the Highway Office Manager/Accountant job description. After further discussion and questioning whether there is enough of a change to the job description to warrant re-pointing, there was a motion by White, second by Oeltjenbruns to submit the updated job description to Ann Antonsen (Springsted) and Wayne Brede for possible re-pointing. Voting as follows: Aye – White and Oeltjenbruns. Nay – Kuecker, Schmidt and Holmen. Motion failed.

Gregg requested additional work hours for the Clerk Typist position held by Cherie Winters at the Highway Department so that she can learn additional job duties. Gregg recommended an increase from 29 hours to 40 hours per week for

the remainder of 2012. The consensus of the board was to allow for the increase in hours.

The board reviewed the final Road Tour agenda for September 13<sup>th</sup> from 7:30 a.m. to 12:00 p.m.

Gregg asked that the board make final payment on the 2012 CSAH bridge replacement projects: SAP 17-606-24, SAP 17-606-25, SAP 17-611-14 and SAP 17-611-15. The final payment amount is \$230,722.36. The original contract amount was \$561,463.90 and the final contract amount was \$517,890.62. Gregg credited the Engineering Department for the savings of \$43,573.28. Motion by Oeltjenbruns, second by White, unanimous vote to approve final payment in the amount of \$230,722.36.

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Planning & Zoning Administrator Andy Geiger met with the board to present a conditional use permit for Mike Scheffler on behalf of Red Rock Quarry to continue mining operations on property in Amboy Township. Motion by Oeltjenbruns, second by Kuecker, unanimous vote to approve the conditional use permit granted to Mike Scheffler with five conditions as mentioned and on a recommendation of the Planning Commission.

Geiger reported that a conditional use hearing would be held on September 27<sup>th</sup> for Ron Jorgenson.

Discussion was held with Geiger regarding the board's earlier conversation regarding septic systems issues. Geiger agreed that a protocol for dealing with septic issues should be developed. The board seemed to agree that Geiger should be the first point of contact since he is a county employee.

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Update was given regarding a meeting that was recently held with Jackson County regarding the potential for consolidation of the Environmental Office. Jackson County would like to know if there is any interest from Cottonwood County in continuing to pursue this matter. Motion by White, second by Holmen to extend the time limit for continued discussions with Jackson County regarding the consolidation of the Environmental Offices in both counties until December 31, 2012. Voting as follows: Aye – White and Holmen. Nay – Kuecker, Schmidt and Oeltjenbruns. Motion failed.

Brief discussion was held regarding the fishing docks at Bean Lake and Double Lake. Commissioner Schmidt reported that a suggestion was recently made to take the dock out of Bean Lake and to put it in Double Lake.

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Brief discussion was held regarding a garbage bill recently received by Great Bend Township as a result of debris in the ditches.

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Motion by Kuecker, second by Schmidt, unanimous vote to close the meeting at 11:45 a.m. pursuant to Minnesota Statute 13D.05, Subd. 2(b) to discuss an employee complaint regarding Ron Gregg. Individuals present for the closed session were: Commissioners Holmen, Oeltjenbruns, Schmidt, White, Kuecker; Kelly

Thongvivong, Jan Johnson, Nick Anderson and Ron Gregg. Motion by White, second by Kuecker, unanimous vote to open the meeting at 12:53 p.m.

Motion by Schmidt, second by White to state that based on the information presented to us in regards to Ron Gregg that he will receive a 1-day leave of absence without the pay attributable to his landfill responsibilities based on current payroll percentages of the Highway Department and Landfill. This 1-day leave of absence without pay must be used before the end of the year.

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Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve September warrants as follows:

County Revenue Fund	\$ 57,815.87
Long Term Capital Outlay	\$ 17,068.12
County Building Fund	\$ 45,028.35
Ditch Fund	\$ 25,451.54
Taxes & Penalties Fund	\$ 21,125.86
Road & Bridge	\$ 72,147.29
Landfill Enterprise	<u>\$ 16,889.58</u>
	\$255,526.61

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Much discussion was held regarding the preliminary levy for 2013 that needs to be set. Many thoughts were shared after further review of the budgets that were presented to the board throughout the month of August by each of the Department Heads. One of the main areas of discussion was overtime and how the county could save thousands of dollars by using comp time instead of overtime. Other discussion to find ways to reduce the levy was reduction of purchases and tightening of the budget.

Motion by White, second by Oeltjenbruns to set the preliminary levy at \$7,949,571 which is not to exceed 11%. Voting as follows: Aye – White, Oeltjenbruns, Schmidt and Holmen. Nay – Kuecker. Motion carried.

Motion by White, second by Schmidt, unanimous vote to rescind motion made on July 3<sup>rd</sup> to bond \$2,000,000 for road improvements due to the fact that it is being replaced with dollars getting spent from the regular levy.

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There being no further business, the meeting adjourned at 2:15 p.m.

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Jan Johnson, Auditor/Treasurer

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Norm Holmen, Board Chairman

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Kelly Thongvivong, Executive Assistant