

May 22, 2012
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 22, 2012 at 1:00 p.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; Alan Coners, Andy Geiger, Dave Bucklin, Kim Hall, Ron Gregg, Lloyd Kalfs and Dustin Krick.

Motion by Kuecker, second by Oeltjenbruns, unanimous vote to approve additions to the agenda. Motion by Oeltjenbruns, second by Kuecker, unanimous vote to approve the minutes of the May 8, 2012 meeting.

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Alan Coners met with the board to present a quote that was received for the installation of a new septic system at the N. 71 Office Building. Coners reported that letters for request for quotes were sent out to all installers in Cottonwood County and the only one received was from Tony's Backhoe & Grading in the amount of \$16,350. Motion by White, second by Oeltjenbruns, unanimous vote to accept quote from Tony's Backhoe & Grading for \$16,350 for the replacement of the failing septic system at the N. 71 Office Building.

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Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve payment in the amount of \$662.64 to Ruttger's Bay Lake Lodge for a conference that Kathy Kretsch will be attending the week of June 11th.

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Discussion was held regarding beaver bounty procedures. After further discussion, there was a motion by Kuecker, second by Schmidt, unanimous vote to pay \$50 for beaver bounty for any beavers trapped within the county highway system including road ditches and bridges. This needs to be approved by the County Engineer prior to any trapping.

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

Motion by Oeltjenbruns, second by White, unanimous vote to pay \$50 for beaver bounty for any beavers trapped within the county drainage ditch system. This needs to be approved by the respective County Commissioner in the district involved prior to any trapping.

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

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Dave Bucklin, SWCD, met with the board to present an application for the Wetland Conservation Act (WCA) Notice of Decision. The application is from the City of Dundee and they are requesting exemption for an upgrade to their Waste

Water Facility. Motion by White, second by Schmidt, unanimous vote to approve the Wetland Conservation Act Notice of Decision for the City of Dundee.

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Planning & Zoning Administrator Andy Geiger met with the board to discuss a few items. Geiger presented a conditional use permit application from Dustin Krick to build a 3,100 head wean to finish hog barn in Westbrook Township. Motion by White, second by Schmidt, unanimous vote to accept and approve the conditional use permit with eight conditions as mentioned and based on the recommendation of the Planning Commission.

Discussion was held regarding a quote that was received for paving of a handicap parking stall on the south highway shoulder near Double Lake. The cost of the quote was \$3,366.90 from Knife River Corporation. The reason for receiving a quote from Knife River Corporation is that they will be working on a project nearby beginning next week. This work will need to be done before the DNR will agree to put the dock back in. The only other work that would need to be done is painting a crosswalk across CR 53 from the parking area on the north side of the road, which the Highway Department has agreed to take care of. After further discussion, there was a motion by Kuecker, second by Schmidt, unanimous vote to accept the quote for the paving of a handicap stall on the south should of Double Lake pending that the county try to obtain an agreement from DNR to put the dock back in and that the Red Rock Sportmen’s Club will take over full maintenance duties of the dock from here on out. The cost of paving for this project will be paid for with Highway funds.

Discussion was held regarding a complaint recently received from Evelyn Ray in regards to the ongoing issue with the deposit of material on a property on N. 71. County Attorney Nick Anderson will send a letter to the owner of the material located on this property so that a timeframe for a corrective plan of action can be established.

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Emergency Management Director Kim Hall met with the board to seek approval of the Emergency Operation Plan. Hall reported that she had a review on May 17th and the plan has already been signed off of by the State and the missing chapter that was identified has been taken care of since that visit. Motion by Schmidt, second by White, unanimous vote to approve 2012 Emergency Operation Plan for Cottonwood County as presented.

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County Engineer Ron Gregg met with the board to discuss several items. Gregg requested board approval of the new Engineering Technician/Signman job description and asked that the board allow him to begin advertising for the position. The job description will be sent to Ann Antonsen, Springsted, Inc. for pointing on the Hay System and to Wayne Brede for his recommendation for a minimum, mid and maximum salary range for this position. Motion by White, second by Oeltjenbruns, unanimous vote to accept the job description as presented by Gregg and to send the job description for pointing and salary recommendations.

Gregg gave an update on the gravel exploration and negotiation for gravel mining. The gravel exploration has been done and it appears there is approximately 120,000 cubic yards of gravel on this site. American Testing Engineering should have their report completed soon. Gregg has been in contact with Dominic Jones from Red Rock Rural Water who is the holder of the lease on the property and everything appears to be moving along. A draft copy of the lease has been given to County Attorney Nick Anderson for his review.

Discussion was held regarding the shift of duties from the Highway/Solid Waste Department to the Environmental Office. The board agreed that all Solid Waste duties including landfill operations, household hazardous waste collection, e-waste collection and recycling (SCORE account) were to move to Andy Geiger effective June 1st. For the time being, all billing and payroll will remain at the Highway Department.

Motion by Oeltjenbruns, second by White, unanimous roll call vote to adopt resolution (on file in Commissioners Office) which allows for advancement of \$71,377.89 from the 2013 County State Aid Construction Fund to supplement 2012 County State Aid Street Projects.

Gregg requested county board approval to purchase a tandem truck and plow equipment. A 2013 7600 International Tandem Truck at \$104,166.79 including tax and snow plowing equipment from Towmaster Truck Equipment at \$79,511.79 including tax. Total package is \$183,678.58 to be paid for using the Highway Equipment Budget. During discussion it was brought up that this purchase is to replace Unit 39 (1996 tandem) and that this is state bid pricing. After further discussion regarding vendors used for past purchases, Sanitation Products was mentioned and Gregg was questioned whether or not they submitted a bid. He stated that they lost a vendor and Falls Equipment is the preferred choice due to compatibility with present equipment. Because of the questions mentioned, the board agreed that they would like to see all the quotes received by the Highway Department before making a decision.

Gregg presented a personnel request to transfer earned sick leave to another employee within the Highway Department that has exhausted all of their vacation and sick leave hours. There is nothing in the existing personnel policy that addresses the donation of sick leave. Policy Number 147 – Hardship Leave does allow donation of vacation time to an injured/sick employee who has exhausted their sick, vacation, personal and catastrophic leave for their own injury or illness. For this to be considered by the board a hardship leave request must be filed.

Gregg reported that the commissioners are invited to an open house retirement party for Dave Teichroew on May 31st at 10:00 a.m. at the County Highway Shop. Teichroew is retiring from the county with nearly 40 years of service.

Motion by Schmidt, second by Kuecker, unanimous vote to amend Resolution 12-05-08 as follows:

**Resolution 12-05-08
For agreement to State Transportation Fund (Bridge Bonds)
Grant Terms and Conditions**

WHEREAS, Cottonwood County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 17J34, 17J35, 17J36 and 17J37 (S.A.P. 17-606-24, S.A.P. 17-606-25, S.A.P. 17-611-14, S.A.P. 17-611-15, projects tied)

WHEREAS, the Commissioner of Transportation has given notice that funding for these bridges is available; and

WHEREAS, the amount of the grant has been determined to be ~~\$87,440~~ \$52,446.00 (S.A.P. 17-606-24), ~~\$88,885~~ \$53,331.00 (S.A.P. 17-606-25), ~~\$206,278~~ \$123,766.80 (S.A.P. 17-611-14) ~~\$88,044~~ \$52,826.40 (S.A.P. 17-611-15) by reason of the lowest possible bid;

NOW THEREFORE, be it resolved that Cottonwood County does hereby agree to the terms and conditions of the grant consistent with the Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required.

Adopted on May 8th, 2012

S/Norm Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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A request by Dave Teichroew for the 2nd half of a lump sum payment in the amount of \$525 that was agreed upon according to union contract for those employees at the top of the 2012 pay scale was denied.

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Brief discussion was held regarding the refund from Tri-County Recycling that was received in March in the amount of \$42,232.50.

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Motion by Kuecker, second by Oeltjenbruns, unanimous vote to amend the minutes from the May 1st board meeting on the bottom of page two as follows:

- Hay points increased from 245 to 259 – ~~Child Protection Specialist~~ Support Officer

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Chairman Holmen wanted clarification regarding the financial obligations that were discussed at the last board meeting regarding the building of a new Southwestern Mental Health Center facility in Worthington. The consensus of the board was to agree to Promissory Note "A" but not Promissory Note "B" of the Agreement for Advancement and Repayment of Funds.

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Further discussion was held regarding the location of existing personnel files and whether or not they should be moved to the Commissioner's Office now that Kelly Thongvivong is responsible for HR functions. Auditor/Treasurer Jan Johnson does not feel that existing personnel files should be moved to the Commissioners Office due to the fact that he is responsible for personnel data in his possession. It was suggested that Kelly Thongvivong start keeping personnel files from this day forward in the Commissioner's Office. Motion by Kuecker, second by Schmidt, unanimous vote to allow Thongvivong to obtain quotes for a 4-drawer locking fireproof file cabinet for new personnel files.

Brief discussion was also held regarding inconsistencies with performance evaluations and how they are being conducted and completed by Department Heads.

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Brief discussion was held regarding a response received by Greg Walsh in regards to the recent problems the county had with the e-mail system.

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Chairman Holmen reported that the commissioners were invited to the Law Enforcement Center Open House in Murray County on May 24th at 2:00 p.m.

Holmen reported that correspondence was recently received from MPCA regarding the SCORE grant.

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Commissioner Oeltjenbruns gave an update regarding a Minnesota River Board meeting he attended yesterday in Granite Falls. Oeltjenbruns reported that if additional funding is not received this year the organization will more than likely dissolve next year.

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Commissioner White gave a brief update regarding Windomnet and reported that Dan Olsen is currently working with Dennis Fields, Jackson County IT, to discuss the merger of Cottonwood-Jackson Community Health Services and Human/Family Services in both Cottonwood and Jackson counties.

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Update was given regarding further information obtained regarding the air conditioner at the Courthouse. The quotes received will be presented at the next board meeting for possible approval.

Discussion was held regarding the steps on the west side of the Courthouse that are deteriorating and are in need of repair. A suggestion was made to check into the possibility of getting heated steps.

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Retirement letters will be sent to Lorene Holland and Dave Teichroew thanking them for their many years of service to Cottonwood County.

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There being no further business, the meeting adjourned at 5:00 p.m.

Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Kelly Thongvivong, Executive Assistant