

May 1, 2018  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 1, 2018 at 8:55 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting, in person or via phone, were: Commissioners Tom Appel, Donna Gravley, Kevin Stevens, Norm Holmen, Jim Schmidt; County Coordinator Kelly Thongvivong, County Attorney Nick Anderson, Auditor/Treasurer Jan Johnson, Kathy Marsh, Watonwan Commissioners Keith Brekken and Kathy Svalland, Nick Klisch, Jed Rhubee, Gale Bondhus, Jason Purrington, and Rahn Larson.

Chairman Gravley called the meeting to order.

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Motion by Schmidt, second by Appel, unanimous vote to recess as the County Board and to convene as the Ditch Authority. Commissioner Schmidt proceeded as acting Chairman.

Motion by Keith Brekken, second by Tom Appel, unanimous vote to approve the minutes of the April 17, 2018, meeting.

Commissioner Appel informed the board that he has had conversations with some of the landowners along Judicial Ditch #1 and there will possibly be a petition for a repair or improvement in the future.

Motion by Norm Holmen, second by Kathy Svalland, unanimous vote to adjourn as the Ditch Authority.

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Commissioner Gravley reconvened the regular board meeting. The Pledge of Allegiance was recited. Motion by Holmen, second by Stevens, unanimous vote to approve the agenda as amended. Motion by Schmidt, second by Appel, unanimous vote to approve the minutes of the April 17, 2018 meeting.

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Nick Klisch, County Engineer/Public Works Director, met with the board to discuss several items. Klisch informed the board that Jackson County is doing a micro-surfacing project on border roads and offered to include Cottonwood County roads 25 and 36 in their contract. Klisch presented the bid that was received by Jackson County from Astech Asphalt Technologies. Klisch stated that Cottonwood County's portion of the project would be \$31,231.06. Motion by Schmidt, second by Holmen, unanimous vote to accept the bid from Astech Asphalt Technologies for the micro-surfacing of County Roads 25 and 36 in the amount of \$31,231.06.

Klisch presented the bids that were received for the overlay of approximately 15 miles of roadway. (Bids are on file in the County Coordinator's office.) Motion by Stevens, second by Appel, unanimous vote to accept bid from Central Specialties, Inc. in the amount of \$1,068,104.40 (\$1,309,294.77 less the Jackson County portion of \$241,190.37) for overlay of approximately 15 miles of roadway.

Motion by Schmidt, second by Holmen, unanimous roll call vote to adopt resolution 18-05-01 as follows:

**Resolution 18-05-01**

**CREATING PRIORITIZED BRIDGE REPLACEMENT LIST**

WHEREAS; Cottonwood County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and

WHEREAS; Cottonwood County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE BE IT RESOLVED, that the attached list of deficient bridges are high priority and Cottonwood County intends to replace, rehabilitate or remove these bridges as soon as possible when funds are available,

FURTHERMORE, Cottonwood County does hereby request authorization to replace, rehabilitate or remove such bridges; and

FURTHERMORE, Cottonwood County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

Dated: May 1, 2018

S/Donna L. Gravley, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Klisch presented an Oversize and Overweight Permit for approval. Klisch stated that Cottonwood County hasn't previously permitted for overweight loads; and, therefore, has revised the hauling permit to include overweight loads. Motion by Holmen, second by Stevens, unanimous vote to approve the Oversize and Overweight Hauling Permit and fees as presented.

Motion by Schmidt, second by Stevens, unanimous vote to advertise for bids for Project 017-591-005, Winfair Elementary Safe Routes to School.

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Kelly Thongvivong, County Coordinator, met with the board to discuss several items. Thongvivong and County Assessor Bondhus presented a Retainer Agreement with Briggs and Morgan, P.A. for a property tax court case. Bondhus stated that Marc Manderscheid will be the lead attorney. Motion by Schmidt, second by Appel, unanimous vote to allow the Board Chair to sign the Retainer Agreement with Briggs and Morgan, P.A. for property tax court case legal services.

Thongvivong, Appel, and Holmen presented a Highway 60 Resolution for approval. Motion by Holmen, second by Appel to adopt resolution 18-05-01A as follows:

**Resolution 18-05-01A**

**Mountain Lake, MN - Highway 60 Resolution**

**WHEREAS;** MNDOT's Mission Statement is to "Plan, build, operate and maintain a safe, accessible, efficient and reliable multimodal transportation system that connects people to destinations and markets throughout the state, regionally and around the world."

**WHEREAS;** MNDOT's Core Values are safety, excellence, service, integrity, accountability, diversity and inclusion.

**WHEREAS;** MNDOT is anticipating an increase of 15 to 20% traffic volume increase and increased traffic speed once the highway section between Mountain Lake and Windom is completed.

**WHEREAS;** MNDOT has cited the three intersections to Mountain Lake as safety concerns. A safety concern that everyone does agree.

**WHEREAS;** Mountain Lake is located in a rural agricultural setting with heavy traffic of large agricultural husbandry equipment, construction equipment, and commercial semi-trailers.

**WHEREAS;** Line of sight is restricted at the middle intersection due to the curve in the road around commercial properties and the west intersection due to the railroad overpass.

**WHEREAS;** Mountain Lake EDA has spent significant time and dollars developing commercial property by the west and middle intersections and has commercial industry located by them.

**WHEREAS;** Mountain Lake's Fire, Ambulance, and First Responders need the accessibility of three intersections to best respond to incidents they are called to in the quickest response time and to safely route traffic if an accident is blocking one of the intersections.

**WHEREAS;** Mountain Lake is one of the last communities of the Highway 60 corridor that serves the Twin Cities to Sioux City and has the safety need for an interchange at the County Road 1 (middle) intersection.

**WHEREAS;** "J turns" are not a safe, efficient, and reliable solution for these three intersections, even though they may be well suited for other highway exchanges.

**NOW, THEREFORE BE IT RESOLVED,** that the Cottonwood County Board of Commissioners opposes the installation of three "J turns" and offers the following alternatives.

- The east intersection should have installed the proposed "Green T" by MNDOT.
- The middle intersection should have installed an interchange, either over or under, with the proposed on and off ramps as shown on Exhibit "A" or something similar.
- The west intersection should have installed deceleration and acceleration lanes for both west and east bound traffic.

During the interim while awaiting construction, the electrical "approaching traffic" signs need to be modified to have the illuminated "approaching traffic" sign that is always on to only light up with those words when traffic is actually approaching. It is causing total confusion and is not getting the desired safety and accident reduction as it currently functions. It would be a very low cost improvement to the system currently installed and would be a fix that would be consistent with MNDOT's core values.

The above construction improvements accurately reflect MNDOT's Mission Statement and Core Values.

The above construction improvements were compiled by residents and businesses who live and drive these roads daily. Considerable thought and deliberation occurred to determine how best to meet the community's needs and MNDOT's objectives.

Dated: May 1, 2018

S/Donna L. Gravley, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Voting as follows: Aye – Appel, Holmen, Gravley, Stevens. Nay – Schmidt. Motion passed. Holmen asked that copies of the resolution be sent to MnDOT, Representative Hamilton, and Senator Weber.

Thongvivong and Sheriff Purrington presented quotes for the work release dorm project at the jail. Motion by Stevens, second by Appel, unanimous vote to accept quotes as follows for the work release dorm project at the jail: Jurgens Construction, Inc. - \$1,000, Hanson Plumbing - \$10,016.09, Holt's Cleaning Service, Inc. - \$1,378.69, and Thomas Decker - \$1,950.00.

Motion by Stevens, second by Holmen, unanimous vote to reappoint Nick Klisch as the Cottonwood County Engineer for a four-year term effective May 2018 to May 2022.

Thongvivong led discussion and asked for approval to accept two job descriptions: Public Works Superintendent and Assistant Highway Maintenance

Supervisor. Thongvivong stated that both positions would be non-union and non-exempt. After much discussion, motion by Holmen, second by Schmidt to approve the Public Works Superintendent job description as presented, place on Range 18, but make the position exempt. Voting as follows: Aye – Holmen, Schmidt, Stevens, and Gravley. Nay – Appel. Motion passed.

Motion by Appel, second by Holmen, unanimous vote to accept the Assistant Highway Maintenance Supervisor job description as presented, place on Range 14, and make non-exempt.

Motion by Appel, second by Schmidt to make the Public Works Superintendent position non-exempt and place on Range 18. Voting as follows: Aye – Appel, Schmidt, Gravley, and Stevens. Nay – Holmen. Motion passed.

Motion by Schmidt, second by Stevens, unanimous vote to appoint Jed Rhubee as the Public Works Superintendent effective May 28, 2018.

Motion by Schmidt, second by Stevens, unanimous vote to approve the Public Works Organizational Chart as presented.

Motion by Holmen to post and then advertise for the position of Assistant Highway Maintenance Supervisor. Motion died due to lack of a second.

Motion by Appel, second by Stevens, to post internally and advertise simultaneously for the Assistant Highway Maintenance Supervisor position. Voting as follows: Aye – Holmen, Appel, and Stevens. Nay – Gravley and Schmidt. Motion passed.

Thongvivong led discussion regarding the possibility of a joint Veteran Service Officer with Redwood County as she has been contacted by Redwood County who is presently without a VSO. Consensus of the board is not to make a joint VSO position at this time.

Thongvivong stated she has had a request from DVHHS – Family Services for cleaning and would like direction on how to proceed from the board. Consensus of the board is to have the cleaning done if due to the remodeling project.

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Commissioner Appel led discussion as to what to do with landowners that are not complying with the Buffer Law. Consensus of the board is for Becky Alexander and a Commissioner to visit the landowners together. Appel also gave an update on the building the county purchased. Appel informed the board that there is no abstract for the property purchased by the landfill and that the abstract is the responsibility of the seller. Appel asked the board if they were okay with the DAC putting up a couple of 3x6 raised beds by their building. The board was okay with this.

Commissioner Schmidt stated there will be a meeting on May 4<sup>th</sup> in the Commissioner's room for a discussion on Hurricane Lake and how to alleviate the odor. Schmidt stated that representatives from DNR, landowners around the lake, and the Pastor from Old Westbrook Church are invited to attend.

Commissioner Gravley highlighted a few points in the ACE Annual Report with the board. Gravley asked the board that when talking with members of the Legislature to remind them of the Library system and the funding that is needed. Gravley informed the board that county transit system, operated by United

Community Action, will be adding another bus and that the garage is running out of room. Gravley asked for the board to approve a per diem for a meeting she attended. Motion by Schmidt, second by Stevens, unanimous vote to pay a per diem to Commissioner Gravley for a Red Rock Rural Water/Senator Amy Klobuchar meeting she attended on April 30.

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Motion by Schmidt, second by Stevens, unanimous vote to approve April warrants as follows:

County Revenue Fund	\$ 30,865.09
Long Term Capital Outlay	\$ 600.00
County Building Fund	\$ 10,930.01
Agency Fund	\$ 171.27
Road and Bridge Fund	\$ 27,807.31
Landfill Enterprise	<u>\$ 20,311.45</u>
	\$ 90,685.13

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There being no further business, the meeting was adjourned at 10:50 a.m.

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Jan Johnson, Auditor/Treasurer

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Donna L. Gravley, Board Chair

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Kelly Thongvivong, County Coordinator