

April 5, 2005
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, April 5, 2005 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Chuck Severson, Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Mark Marcy, Bob Haken, Jason Purrington, Bud Muller, Nick Muller, Kelli Daberkow, Dominic Jones, Dianne Beens, Ron Gregg, Dennis Nelson, Dennis Johnson, and Mike Hanson. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve the additions of the agenda. Motion by Holmen, second by Kuecker, unanimous vote to approve the minutes of the March 22, 2005 meeting as corrected.

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Emergency Management Director Mark Marcy met with the board to discuss a few different items. Discussion was held regarding Southwest Minnesota/Northwest Iowa Emergency Response Unit Joint Powers Agreement. Since the board would feel more comfortable with reviewing the by-laws before signing such an agreement, the discussion was tabled until the April 12th meeting. Marcy will obtain a copy of the by-laws for review by the County Attorney before the next meeting.

Motion by Kuecker, second by Sorenson, unanimous roll call vote to adopt resolution as follows:

**Resolution Designating the National Incident Management System (NIMS)
as the Basis for all Incident Management in Cottonwood County
05-04-05A**

WHEREAS, the President of the United States, in Homeland Security Directive (HSPD)–5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all federal, state, local and tribal security partners has been, and will continue to be vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all federal, state, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management, it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform planning, training, and

exercising standards, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the county’s ability to utilize federal and state funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State and Cottonwood County, including current emergency management training programs;

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

WHEREAS, the Governor of the State of Minnesota by Executive Order 05-02, February 9, 2005, has designated the NIMS as the basis for all incident management in the State of Minnesota;

NOW, THEREFORE, the Cottonwood County Board of Commissioners does hereby establish the National Incident Management System (NIMS) as the standard for incident management in Cottonwood County.

S/Jan Johnson, Auditor/Treasurer

S/Chuck Severson, Board Chairman

Marcy updated the board in regards to the FEMA trailers and asked if the Highway Department might be able to help him out with some maintenance of the trailers. The board didn’t think that it would be a problem.

Motion by Sorenson, second by Kuecker, unanimous vote to allow Marcy to attend Hazardous Materials Awareness Course on April 25–29 in Minneapolis. The tuition of the course is \$925. A \$280 grant is available from the State towards the tuition. The remaining balance will be paid for out of Emergency Management funds.

Marcy informed the board that the next Emergency Management meeting would be held on April 18th at 6pm at the Eagle’s Club.

Motion by Oeltjenbruns, second by Holmen, unanimous vote to allow Marcy to apply for small equipment grant. There is no county match required for this grant.

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Sheriff Bob Haken met with the board to discuss the current fee charged to individuals who choose to take advantage of the work release program.

Motion by Holmen, second by Sorenson, to increase these fees from \$12/day to \$17/day. After brief discussion, there was a motion by Kuecker to amend the previous motion and to increase these fees from \$12/day to \$15/day. Motion died for lack of a second. Voting on the original motion was as follows: Aye: Oeltjenbruns, Sorenson, Holmen, and Severson. Nay: Kuecker. Motion carried.

Motion by Oeltjenbruns, second by Kuecker, unanimous vote to change mileage rate on civil fees listing to the federal rate, which is currently \$.405/mile with a \$5.00 minimum. Other rates are as follows:

- Serving a Summons, Warrant, Writ, subpoena or any process issued by a court of record: \$25.00 for each defendant served plus mileage.
- Posting three Notices of Sale: \$30.00
- Selling land on foreclosure of a mortgage, for all services required, including executing Certificate of Sale: \$75.00
- Making diligent search and inquiry and returning a Summons when defendants cannot be found: \$25.00
- Returning an execution unsatisfied when no service is made: \$25.00
- For all processes when no charge is made for service of a return of not found or unsatisfied: \$25.00

Haken presented a quote from Best Buy for the possible purchase of 7 digital cameras for the Sheriff's Department. Haken was asked to get more quotes for the purchase of 7 digital cameras. It was noted that all 7 of the cameras would not need to have a printer dock.

Discussion was held regarding Haken's recent announcement that he is planning to retire in December of this year and his intention of recommending that Jason Purrington be appointed to fill his remaining term. Some further research will be done in regards to this matter.

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Bud Muller, Nick Muller, Dominic Jones and Kelli Daberkow met with the board to inform them that the Muller's have been working with the local and regional NRCS as well as the Red Rock Rural Water System in regards to a potential wetland restoration project in Section 13 of Amo Township.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to recess as the County Board and to convene as the Ditch Authority. Motion by Kuecker, second by Sorenson, unanimous vote to extend our support on behalf of the Cottonwood County Board of Commissioners acting as the Ditch Authority for the consideration of partial abandonment of County Ditch 43 through proper proceedings and considerations. A letter of support will be sent to Bob Usgaard of the USDA-NRCS Area Office in Fergus Falls.

Motion by Holmen, second by Oeltjenbruns, unanimous vote to accept petition for repair on JD #5 based on renewed assessments.

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

Dominic Jones informed the board that he would be meeting with them again within the next 30 days in regards to 2005–2006 Red Rock Rural Water projects. He also suggested that a representative from the County Board might want to consider sitting in on Red Rock Rural Water board meetings, which are held on the 2nd Tuesday of each month at 5:30pm in Jeffers.

Dianne Beens, Advertising Consultant from the Citizen, met with the board regarding the Cottonwood County Visitors Guide that is published yearly and whether or not the board would be interested in placing a ½ page ad again this year. The cost would remain at \$432 which is billed April through September at a cost of \$72/month. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve an ad in the Visitors Guide in the amount of \$432.

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Dennis Nelson, Dennis Johnson, and Ron Gregg met with the board in regards to the upcoming 4th Avenue improvements. They mentioned that the project would be completed in 3 different phases. Phase 1 will include 10th Street to 16th Street. Since one block of the project is the county's responsibility, plans will be submitted for the application of county state aid funding. However, reimbursement will not happen until next year.

Dennis Nelson invited the board to attend a ribbon cutting ceremony on Friday, April 15th at 9:45am at the new telecom building.

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County Engineer Ron Gregg met with the board to discuss a few items. Gregg updated the board in regards to a meeting he recently had with Theresa Gilbertson who is a Coordinator for Household Hazardous Waste and who originally licensed the house that is currently being used to store hazardous materials at the landfill. A household hazardous waste cleanup of the house is scheduled for the week of April 18th as Gilbertson informed Gregg that the house has to be cleaned up by June 1st.

Commissioner Sorenson asked that Gregg work to get a written agreement for snow removal and maintenance of roads to present to the Jeffers and Westbrook City Councils for the two main streets in both of these communities that have recently been changed to county state aid roads. It has already been verbally agreed upon that the removal of snow and maintenance of roads is to remain a responsibility of each city.

Brief discussion was held regarding a culvert on County Road 29 that has been causing some problems. This culvert will be looked at next week when the board reconvenes to this location for further review.

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Motion by Sorenson, second by Holmen, unanimous vote to approve the hire of 3 returning part-time seasonal employees (Micah Rupp & Alex Scarset as maintenance workers and Ashley Anderson as entry station attendant at Talcot Park).

Hanson gave a brief update in regards to the TMDL position as well as the ISTS intern. He stated that 4 applications have been received for the TMDL position and that he has not yet advertised for the position of ISTS intern. He was asked to do so as soon as possible.

Hanson reported that he had received a call from John Larson of the Environmental Quality Board (EQB) stating that they did receive the petition for

an EAW and have screened it and found the petition complete. The EQB has now sent the petition back to the County to examine the facts and to determine if the EAW is merited and to order the EAW to be completed if merited.

Cottonwood County will now become the Responsible Governmental Unit (RGU) for the petition. After much discussion, the board decided to let the petition run its course for 30 days before deciding on whether to allow or deny the EAW.

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Brief discussion was held regarding other options and possibilities that may be available for the current transit garage. Auditor/Treasurer Johnson will try to get some estimates on what a new building might cost.

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Auditor/Treasurer Johnson handed out the monthly budget summary report and updated the board on a recent claim that had been paid by the 125 Plan.

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Discussion was held regarding a resolution that the SRDC asked that the board consider. Since there were some questions with the wording of the resolution, the board decided to hold off on adopting the resolution until a later time.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to sign contract for Human Resources consultant services through AMC. There is no cost or obligation for signing this contract. Fees are only charged in response to a specific request for consulting services.

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There being no further business, the meeting was adjourned.

Jan Johnson, Auditor/Treasurer

Chuck Severson, Board Chairman

Kelly Thongvivong, Bd. Adm. Assistant