

December 12, 2006  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, December 12, 2006 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Ron Kuecker. Present for all or portions of the meeting were: Commissioners Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson, Chuck Severson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Mark Marcy, Cheryl Peters, Holli Arp, Crystal Mohrhauser, Mike Hanson, Jason Purrington, Elaine Lolkus, Ron Gregg, Ken Leas, Thomas Keech, Mary Ann Anderson, Kathy Kretsch, Scott Rahn, Charlie Daum and Tom White. Motion by Severson, second by Holmen, unanimous vote to approve additions to the agenda. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve the minutes of the November 28, 2006 meeting. Motion by Holmen, second by Severson, unanimous vote to approve the minutes of the December 7, 2006 Truth in Taxation meeting.

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Emergency Management Director Mark Marcy met with the board to discuss a few items. Marcy asked for permission to apply for a Wal-Mart grant. The grant money (up to \$1,000/store) can be used for community projects and can be applied for once/year. Motion by Sorenson, second by Holmen, unanimous vote to allow Marcy to apply for Wal-Mart grants.

Marcy asked for permission to apply for HMEP haz mat training grant to be used for training and/or 2007 disaster drill. Motion by Holmen, second by Severson, unanimous vote to allow Marcy to apply for Hazardous Material Emergency Preparedness (HMEP) grant.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to sign waiver with City of Windom for the use of the Windom water tower for rappelling training for county employees.

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Commissioner Holmen mentioned a call that he received from Minion Construction regarding the cost of the tipping fee at the landfill from the Kruse Family fire cleanup. Holmen will follow up with Minion Construction in regards to this issue.

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Court Administrator Cheryl Peters met with the board to review three bids that were submitted for 2007 Court Appointed Attorney. The bids were as follows: Muske, Muske & Suhrhoff - \$75/hour; Birkholz Law - \$60/hour; and Michael Cerniglia - \$60/hour. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to award bid in the amount of \$60/hour to Birkholz Law for 2007 Court Appointed Attorney services.

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Extension Regional Director Holli Arp met with the board to introduce Crystal Mohrhauser as the new 4-H Program Coordinator for Cottonwood County. Mohrhauser began her duties on December 1<sup>st</sup>.

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Commissioner Oeltjenbruns gave a brief Energy Board report. He stated that the direction they are currently moving is to focus on helping small wind farms get started.

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Motion by Sorenson, second by Holmen, unanimous vote to accept bookmobile contract for 2007 at the same rate of \$800/month.

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Environmental Officer Mike Hanson met with the board to discuss a few different items. Hanson presented three conditional use permits for board approval. Motion by Holmen, second by Severson, unanimous vote to approve conditional use permit granted to Noel Rahn for Odin Wind Farm One to be located in Mt. Lake Township based on conditions mentioned and on a recommendation of the Planning Commission. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve conditional use permit granted to Noel Rahn for Odin Wind Farm Two to be located in Mt. Lake Township based on conditions mentioned and on a recommendation of the Planning Commission. Motion by Severson, second by Holmen, unanimous vote to approve conditional use permit granted to Noel Rahn for Odin Wind Farm Three to be located in Mt. Lake Township based on conditions mentioned and on a recommendation of the Planning Commission.

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

Cottonwood County  
 Resolution Acknowledging  
 Community-Based Energy Development  
 C-BED Status for Wind Project  
 Resolution # 06-12-12-A

WHEREAS, it is the policy of the State of Minnesota to foster Community-Based Energy Development (C-BED) projects; and

WHEREAS, the state C-BED statute calls for County Board approval of C-BED projects – Minn. Stat. §216B.1612, subd.2 (f) (3); and

WHEREAS, the development of small scale wind projects in Cottonwood County provides economic opportunity for residents and property owners of the County; and

WHEREAS, the Odin Wind Farm LLC is proposed for development in Mountain Lake Township and will be owned by a Minnesota Limited Liability Company organized by Minnesota residents; and

WHEREAS, the Minnesota Limited Liability Company that will be developing wind turbines is Odin Wind Farm LLC; and

WHEREAS, the developers understand and accept responsibility for securing all necessary permits for development of wind turbines and towers; and

WHEREAS, this project calls for the development of up to 20 megawatts of wind energy to be produced by 10, 2 MW turbines (5 turbines in Cottonwood County and 5 turbines in Watonwan County); and

WHEREAS, the projects are structured to ensure that a majority of the financial benefit of the project accrues to the local owners of the project.

NOW THEREFORE, BE IT RESOLVED, that the Cottonwood County Board of Commissioners hereby indicates its support of the Odin Wind Farm LLC Wind Energy Project as a C-BED project, subject to the authority of said County Board to grant or deny any applications for permits or licenses for said project as may be provided by state statute or local ordinances, rules, or regulations.

S/Jan Johnson, Auditor/Treasurer

S/Ron Kuecker, Board Chairman

Hanson gave update in regards to Little Cottonwood River Watershed Low Interest Septic Loans. Motion by Sorenson, second by Oeltjenbruns, unanimous roll call vote to adopt resolution allowing for the reallocation of \$38,000 of low interest loan money to Brown County as follows:

Resolution # 06-12-12  
FOR THE IMPLEMENTATION AGREEMENT  
AMENDMENT #1 FOR CONTINUATION OF THE  
LITTLE COTTONWOOD RIVER RESTORATION

BE IT RESOLVED by the Cottonwood County Board that, as Loan Sponsor, the Cottonwood County Board enters into the Minnesota Clean Water Partnership Project Implementation Loan Agreement Amendment #1 along with Brown Nicollet Cottonwood Water Quality Board, as Project Sponsor, and the Minnesota Pollution Control Agency to conduct the implementation of the Little Cottonwood River Restoration Continuation Clean Water Partnership Project.

BE IT FURTHER RESOLVED by the Cottonwood County Board that the Board Chair, Ron Kuecker be authorized to execute the Minnesota Clean Water Partnership Project Implementation Loan Agreement Amendment #1 for the above referenced Project on behalf of the Cottonwood County Board as Loan Sponsor.

WHEREUPON the above resolution was adopted at a regular meeting of the Cottonwood County Board of Commissioners this 12<sup>th</sup> day of December 2006.

S/Jan Johnson, Auditor/Treasurer

S/Ron Kuecker, Board Chairman

Motion by Holmen, second by Severson, unanimous vote to accept amended AGBMP loan agreement and to amend the budget to reflect an increase of \$66,500.

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Sheriff Jason Purrington met with the board to discuss several items. Purrington stated that he recently interviewed three individuals for the two deputy positions that are currently open within the Sheriff's Department. Motion by

Sorenson, second by Holmen, unanimous vote to hire Jayd Soderholm and Dustin Miller as full-time deputies effective January 1, 2007.

Motion by Oeltjenbruns, second by Severson, unanimous vote to allow Purrington to post and advertise for two part-time jailer/dispatchers.

Purrington presented two quotes for the purchase of a new vehicle, which will be used by the Chief Deputy Sheriff. The two quotes off the state bid were as follows: Elk River Ford - \$24,754.20 (2007 Ford Expedition) and Thane Hawkins Polar Chevrolet - \$30,757.63 (2007 Chevy Tahoe). Motion by Sorenson, second by Severson, unanimous vote to authorize purchase of 2007 Ford Expedition in the amount of \$24,754.20.

Two quotes were presented for the purchase of a mobile radio for the new vehicle and were as follows: Alpha Wireless - \$3,950 and Com-Tec Land Mobile Radio - \$4,864.50. Motion by Holmen, second by Sorenson, unanimous vote to accept low quote in the amount of \$3,950 from Alpha Wireless.

Two quotes were presented for the purchase of an inmate visitation recording system and were as follows: Reliance Telephone - \$1,499.00 and Lucan Community TV, Inc. - \$1,953.10. Motion by Oeltjenbruns, second by Holmen, unanimous vote to accept low quote in the amount of \$1,499 from Reliance Telephone contingent on state approval for the variance.

Motion by Sorenson, second by Severson, unanimous vote to accept Annual Fire Alarm and Sprinkler System Maintenance Contract through SimplexGrinnell LP of Plymouth, MN. The contract price for this is \$2,175. The contract price increased \$25.00 from last years contract.

Purrington presented a copy of a grievance that was filed by the Jailer/Dispatcher union in regards to part-time holiday pay. Motion by Holmen, second by Severson, unanimous vote to instruct the Auditor/Treasurer to issue additional 1/2 time pay to part-time employees that worked on the Thanksgiving holiday.

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Probation Officer Elaine Lolkus met with the board to present two quotes for a new computer. The two quotes that were received were: State contract - \$743.09 and Davis Typewriter - \$1,045.83. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to accept low quote in the amount of \$743.09 from the State contract.

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Auditor/Treasurer Johnson reported that he received the assessment for the recent alley project behind the Environmental Office. Motion by Severson, second by Sorenson, unanimous vote to approve assessment and make payment by January 5, 2007.

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County Engineer Ron Gregg met with the board to discuss several different items. Motion by Holmen, second by Sorenson, unanimous vote to close the meeting at 11:30am to discuss employment status because health issues of an employee may be discussed. The following individuals were

present: Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson, Chuck Severson, Kelly Thongvivong, Jan Johnson, Ken Leas, Thomas Keech and Ron Gregg. Motion by Oeltjenbruns, second by Severson, unanimous vote to open the meeting at 11:48am.

Gregg requested that the contract for the Lyon County Household Hazardous Waste Regional Program be renewed. This program allows us to offer Household Hazardous mobile collections and disposal of Hazardous material. Motion by Sorenson, second by Holmen, unanimous vote to renew the contract.

Motion by Holmen, second by Severson, unanimous vote to accept final payment approval for the CSAH 2 project SAP 17-602-21 from TH 60 to County Road 50. The contract amount was \$565,717 and final project cost was \$493,464.

Gregg requested approval to pay Schneider Corporation \$40,000 for the 2006 contract payment. Because more information was needed as to where these funds would be taken from, this will be brought back to the next board meeting for approval.

Motion by Oeltjenbruns, second by Sorenson, unanimous vote to advertise the CSAH 2 surfacing project for bid.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to hire back Brian Stresemann who was originally hired as a seasonal employee to work for three weeks over the Christmas break to help in the recycling department.

Motion by Severson, second by Oeltjenbruns, unanimous vote to close the meeting at 12:10pm to discuss employment status because health issues of an employee may be discussed. The following individuals were present: Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson, Chuck Severson, Kelly Thongvivong, Jan Johnson, Ken Leas, Thomas Keech, Ron Gregg and Doug Storey. Motion by Holmen, second by Severson, unanimous vote to open the meeting at 12:53pm.

Gregg reported that MnDOT requested that the county redo the resolution that was adopted on November 7<sup>th</sup> for the TH 71 detour onto CSAH 2. Motion by Sorenson, second by Severson, unanimous roll call vote to amend resolution to make change and to allow the Chairman to sign.

Gregg reported that he had one internal applicant for the motor grader position that is currently open within his department.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve December warrants as follows:

County Revenue Fund	\$104,038.60
Long Term Capital Outlay	\$ 46.86
County Building Fund	\$ 1,363.24
Ditch Fund	\$ 1,218.14
Agency Fund	\$ 100.00

Road & Bridge Fund	\$ 61,881.73
Waste Abatement/SCORE	\$ 41,156.88
Landfill Enterprise Fund	<u>\$ 13,754.80</u>
TOTAL	<u>\$223,560.25</u>

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Motion by Holmen, second by Severson, unanimous vote to amend language in "Leave Benefits – Catastrophic Sick Leave" – Policy Number 140 and "Leave Benefits – Sick" - Policy 170 to reflect changes regarding sick leave.

Motion by Oeltjenbruns, second by Holmen, unanimous vote to approve proposed revision to "Probationary Period" - Policy Number 380.

Discussion was held regarding "Leave Benefits – Sick" – Policy 170 and proposed revision of adding "or any person living in the employee's immediate household" to the current policy. Because there were a few concerns in regards to this matter, no further action was taken.

Vehicle usage policy that is currently being developed was reviewed again for further comment. No action was taken at this time but it will be discussed again at the next board meeting.

The board reviewed past Solid Waste union contracts in regards to layoff notification.

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Motion by Holmen, second by Sorenson, unanimous vote to accept 2007 transit grant contract that has been approved for \$115,100 and to allow the proper parties to sign.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve "Overtime Work on Holidays" policy for the Family Service Agency.

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Motion by Sorenson, second by Severson, unanimous vote to pay all 2007 AMC dues, which include \$6,082 to Association of Minnesota Counties (AMC), \$600 to Local Public Health Association (LPHA), and \$462 to Minnesota Association of County Social Service Administration (MACSSA).

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Chairman Kuecker reported on several miscellaneous items. He reported that negotiations with the LELS union would begin on December 27<sup>th</sup> at 10:30am.

Kuecker reported that he recently met with members of I & S Engineers & Architects in regards to the remodeling project in the Commissioner's Room. It was reported that I & S would be sending the plans for the room by the 2<sup>nd</sup> meeting in January.

Kuecker handed out some information he received at the AMC Conference in Rochester in regards to aggregate reduction of benefits, which pertained mainly to healthcare as it relates to employees.

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County Recorder Mary Ann Anderson and Deputy Recorder Kathy Kretsch met with the board to report that they finished interviewing for the two vacant positions of Deputy Recorder within the Recorder's Office and were ready to make a recommendation to the board. Motion by Severson, second by Holmen, unanimous vote to hire Nancy MacGregor and Susan Horkey on Step 3 of the 2006 matrix effective January 2, 2007. These two individuals will remain on Step 3 after completion of their 6-month probationary period.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to allow Nancy MacGregor and Susan Horkey to begin their duties as Deputy Recorder on a part-time basis effective December 13, 2006.

Motion by Holmen, second by Oeltjenbruns, unanimous vote to accept Leslie Makovsky's letter of resignation effective December 21, 2006 as submitted by Mary Ann Anderson.

Brief discussion was held regarding the County Abstract business that is currently housed in the Courthouse and owned by Mary Ann Anderson. Effective January 15, 2007, this business will no longer be housed in the Cottonwood County Courthouse and all private files will be removed.

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There being no further business, the meeting was adjourned.

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Jan Johnson, Auditor/Treasurer

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Ron Kuecker, Board Chairman

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Kelly Thongvivong, Bd. Adm. Assistant