

May 25, 2010
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 25, 2010 at 1:00 p.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Tom White. Present for all or portions of the meeting were: Commissioners Tom White, Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Karen Swenson, Audi Nickel, Aaron Backman, Kim Hall, Mike Hanson, Ron Gregg, Marlene Smith, Steve Nasby, Rory Lindvall and Jason Purrington.

Motion by Kuecker, second by Sorenson, unanimous vote to approve additions to the agenda. Motion by Oeltjenbruns, second by Holmen, unanimous vote to approve the minutes of the May 11, 2010 meeting.

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Karen Swenson, Brown-Nicollet CHS, met with the board for the public hearing for the adoption of four Ordinances. The updates/revisions to the ordinances were a requirement of the Delegation Agreement. There was no public opposition to the adoption of the ordinances and no members of the public were present during the hearing. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to adopt Ordinance No. 31 (Manufactured Home Parks, Recreational Camping Areas, and Youth Camps).

Motion by Holmen, second by Oeltjenbruns, unanimous vote to adopt Ordinance No. 39 (Licensing and Inspection of Food and Beverage Establishments).

Motion by Sorenson, second by Holmen, unanimous vote to adopt Ordinance No. 40 (Regulation of Lodging Establishments).

Motion by Holmen, second by Kuecker, unanimous vote to adopt Ordinance No. 41 (Regulation of Public Swimming Pools).

Motion by Sorenson, second by Kuecker, unanimous vote to allow Chairman White to sign Delegation Agreement with the State of Minnesota.

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Four quotes for the group life insurance RFP were presented for the board's review as follows: Minnesota Life - \$16,330/year; Lincoln Financial - \$19,734/year; UNUM - \$20,736/year; and USABLE - \$27,502/year. Motion by Kuecker, second by Oeltjenbruns, unanimous vote to accept Minnesota Life quote for \$16,330/year which allows for the ability for employee's to enhance their own coverage at their own expense.

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Brief discussion was held regarding a vendor that recently contacted the county in regards to giving a presentation in regards to a phone system as they would be able to provide a state bid. This organization will be contacted to see if they would be interested in setting up a presentation in the near future.

Motion by Kuecker, second by Oeltjenbruns, unanimous vote to give permission for Area II representative or alternate to sign Area II Joint Powers Agreement at an upcoming Area II meeting.

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Discussion was held in regards to developing a written policy in regards to fund transfers/loans. Motion by Kuecker, second by Sorenson, unanimous vote to state that it shall be the policy of Cottonwood County to keep all funds at or above a zero balance at all times. The Auditor/Treasurer will present information regarding transfers made at the next county board meeting at which time it will be acted on as a loan. At a later date the board could determine if this is to remain a loan payable back to the county general fund or be converted to a permanent transfer.

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Audi Nickel met with the board in regards to applying for a Mt. Lake gambling permit through the State of Minnesota. After much discussion, the board decided to have the County Attorney research this matter further and develop a resolution that will presented at the next board meeting for consideration of approval.

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Aaron Backman, Windom EDA Director, met with the board to ask that they consider setting a public hearing for potential tax abatement for New Vision. Motion by Kuecker, second by Holmen, unanimous roll call vote to adopt resolution as follows:

**Resolution No. 10-05-25A
Calling for a Public Hearing on the Establishment
of a Tax Abatement Program**

WHEREAS, Cottonwood County is committed to the best interests of the citizens of Cottonwood County; and

WHEREAS, Cottonwood County ("the County") has received a request from New Vision Cooperative (the "Company") for the establishment of a Tax Abatement Program, pursuant to Minnesota Statutes Sections 469.1812 through 469.1815, concerning property located at 125 16th Street (Parcel Nos. 25.231.0050 and 25.231.0040); and

WHEREAS, the proposed tax abatement program would grant an abatement of the increase in property taxes caused by new development on the land, and this tax abatement would correspond with eligible demolition and site preparation costs pursuant to Minnesota Statutes; and

WHEREAS, it is necessary to hold a public hearing on the proposed tax abatement program.

Now, therefore, **BE IT RESOLVED** by the **COUNTY COMMISSIONERS FOR COTTONWOOD COUNTY, MINNESOTA**, as follows:

1. Public Hearing. A public hearing to consider the proposed adoption of a Tax Abatement Program for New Vision Cooperative shall be held on Tuesday, June 22, 2010, at 1:05 p.m. in the

County Commissioners' Room in the Cottonwood County Courthouse, 900 Third Avenue, Windom, Minnesota.

2. Notice of Public Hearing. The Cottonwood County Auditor is authorized and directed to cause notice of the hearing to be published once in a newspaper of general circulation in the County at least 10 days, but less than 30 days, prior to June 22, 2010. The Cottonwood County Auditor is further authorized and directed to place a copy of the property tax abatement program and supporting documentation on file in the Office of the Cottonwood County Auditor at the Cottonwood County Courthouse in Windom, Minnesota, and to make such copy available for inspection by the public.

Adopted this 25th day of May, 2010.

S/Jan Johnson, Auditor/Treasurer

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S/Tom White, Board Chairman

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Emergency Management Director Kim Hall met with the board to give an update regarding the figures that she is planning on using for the ARMER grant that she is currently working on. This is for the ARMER infrastructure.

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Environmental Officer Mike Hanson met with the board to discuss several items. Hanson asked for approval of a resolution and loan documents authorizing the county to extend the expiration date of the original loan agreement No. SR0177 with Minnesota Pollution Control Agency from July 27, 2010 to July 27, 2011. This will allow the county one additional year to utilize the septic low interest loan funds of \$45,000 in the Middle Minnesota Watershed (Little Cottonwood). Motion by Oeltjenbruns, second by Kuecker, unanimous roll call vote to adopt resolution as follows:

**Resolution for Amendment #3
To agreement SRF0177
Middle MN CWP Project
Resolution 10-05-25**

BE IT RESOLVED by the Cottonwood County Board of Commissioners, that as Loan Sponsor, the Cottonwood County Board of Commissioners enters into the attached Minnesota Clean Water Partnership Project Implementation Loan Agreement amendment #3 along with Brown Nicollet Cottonwood Water Quality Joint Powers Board, as Project Sponsor, and the Minnesota Pollution Control Agency to conduct the implementation of the Implementation of the Conservation Practices and Effectiveness Monitoring in the Middle Minnesota Watershed Clean Water Partnership Project.

BE IT FURTHER RESOLVED by the Cottonwood County Board of Commissioners that the County Board Chair, Tom White be authorized to execute the attached Minnesota Clean Water Partnership Project Implementation Loan Agreement #3 for the above referenced Project on behalf of the Board as Loan Sponsor.

WHEREUPON the above resolution was adopted at a regular meeting this 25th day of May, 2010.

S/Jan Johnson, Auditor/Treasurer

Hanson reported that Brown-Nicollet-Cottonwood Joint Powers Board has voted to go inactive. There are more low interest loan funds for septic system upgrades available from MPCA for the Middle Minnesota Watershed (Little Cottonwood). However, a project sponsor is needed to oversee the submittal of the application, securing the necessary loan documents, and tracking progress of the funds. Due to the fact of the BNC Joint Powers Board going inactive and only meeting once a year, they do not want to be the project sponsor. Since Cottonwood County has a long history of utilizing low interest septic loan funds it was felt that the county, through the Environmental Office, could be the project sponsor. Marcy Pengilly with Brown-Nicollet CHS has offered to help with the process. Motion by Kuecker, second by Holmen, unanimous vote to allow Cottonwood County to continue to be the sponsoring county for another pool of SSTS loan funds for the Middle Minnesota Watershed.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to allow Hanson to hire Margo Wright and James Burton as 2010 seasonal workers for Talcot Lake County Park effective June 1, 2010 pending successful completion of background check and drug test.

Motion by Oeltjenbruns, second by Kuecker, unanimous vote to approve Hanson's attendance at the Minnesota Association of County Planning and Zoning Administrators (MACPZA) Legislative Update Conference on June 10-11 to be held in St. Cloud.

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County Engineer Ron Gregg met with the board to discuss a few different items. The board decided to reschedule the Highway Road Tour for Wednesday, June 2nd.

Gregg gave an update regarding two federal projects (Mt. Lake Bike Trail and CSAH 13). Gregg is hoping to complete the construction of the CSAH 13 project this year and then complete the paving in the spring of 2011. The Mt. Lake Bike Trail still has some issues regarding grading that needs to be resolved in order to meet the requirements of the project.

Brief discussion was held regarding right-of-way issues that still need to be resolved. Commissioner Holmen will make contact with one of the property owners.

Information that was compiled by the Highway Department was handed out to the board in regards to county gravel road reconstruction costs.

Rory Lindvall, Assistant County Engineer, reported that the Highway Department is in need of purchasing two scales (one for fine aggregate and one for coarse aggregate) for aggregate testing on projects that require a scale. Two quotes were presented as follows: Old Will Knott Scales - \$827.12 and ITIN Scale Company, Inc. - \$856.23. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to allow for the purchase of two scales in the amount of \$827.12 from Old Will Knott Scales and to use the county credit card for this purchase.

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Discussion was held regarding SWCD and the options that the county may want to consider in the future with the redesign of this office.

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Discussion was held in regards to a personnel matter. County Attorney Doug Storey will do some further research in regards to this matter before proceeding.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve Mt. Lake Golf Course on-sale and 3.2 liquor license applications.

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Motion by Sorenson, second by Holmen, unanimous vote to adjourn as the County Board and to convene as the Ditch Authority.

It was reported that only two property owners did not respond to the letter in regards to buffer strip action plans. One final contact will be made with these two property owners. Two property owners indicated that they would like the county to do the work and be billed for it.

A preliminary report for JD #32 was completed by Gerry Engstrom and submitted to the Ditch Authority. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to set preliminary hearing for JD #32 for 2:00 p.m. on June 22nd during the regular board meeting.

There being no further business to come before the Ditch Authority, there was a motion by Sorenson, second by Kuecker, unanimous vote to adjourn as the Ditch Authority at 5:05 p.m.

Jan Johnson, Auditor/Treasurer

Tom White, Board Chairman

Kelly Thongvivong, Bd. Adm. Assistant