

September 25, 2012
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, September 25, 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; Assistant County Attorney Lori Buchheim; Aaron Backman, Ron Gregg, Kirby Kruse and Rahn Larson.

Motion by White, second by Schmidt, unanimous vote to approve additions to the agenda. Motion by White, second by Kuecker, unanimous vote to approve the minutes of the September 11, 2012 meeting as amended.

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A public hearing was held for a tax abatement request by Global Investment Properties (Big Game Treestands) for the establishment of a Tax Abatement Program concerning renovating the former Lewis Drug Building for its new corporate headquarters in Windom. Excluding property acquisition costs, the company is planning on spending approximately \$500,000 on improvements to the building. Big Game will be moving 35 employees to the new location and is planning on adding 6-8 fulltime office positions in the next couple of years. After further discussion, there was a motion by White, second by Kuecker to establish a 10-year tax abatement for Big Game Treestands' new corporate headquarters in Windom with the stipulation that they maintain the jobs of 35 existing employees and add 5 new employees by the end of 2015. Voting as follows: Aye – White, Kuecker. Nay – Oeltjenbruns, Schmidt and Holmen. Motion failed. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to establish an 8-year tax abatement for Big Game Treestands' new corporate headquarters in Windom with the stipulation that they maintain the jobs of 35 existing employees and add 5 new employee by the end of 2015. An updated resolution will be forthcoming for consideration by the board.

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Assistant County Attorney Lori Buchheim presented information regarding a federal court class action lawsuit that Hennepin County filed against Fannie Mae and Freddie Mac on behalf of all Minnesota counties to recover deed transfer taxes these entities owe for real estate they have sold over the last 6 ½ years. Fannie Mae and Freddie Mac claim that they are exempt from having to pay this tax. Motion by Oeltjenbruns, second by White to allow Cottonwood County to support inclusion in this class action lawsuit. Voting as follows: Aye – Oeltjenbruns, White, Schmidt and Holmen. Nay – Kuecker. Motion carried.

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Discussion was held regarding commissioner liaison assignments and it was questioned whether the Chairman should have liaison duties since they have numerous other responsibilities involved with being Chairman. Discussion was also held regarding a recent situation where the Chairman and the Commissioner Liaison

of a particular department was the same individual that had to serve on a designated committee that would act in the role of the supervisor for purposes of discipline. The original intent was to have three individuals (Chairman, HR Specialist and Commissioner Liaison) serve on this committee. It was suggested that if this situation were to occur in the future, the Vice-Chairman could serve on this committee as well.

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Motion by Kuecker, second by Schmidt, unanimous vote to accept resignation of Lisa Will, Deputy County Assessor, effective September 27, 2012 with appropriate payout of benefits.

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Motion by Oeltjenbruns, second by Schmidt to accept resignation of Ron Gregg, County Engineer, effective October 12, 2012 with appropriate payout of benefits. Voting as follows: Aye – Oeltjenbruns, Kuecker, White and Holmen. Nay – Schmidt. Motion carried.

Discussion was held in regards to options that should be considered before advertising for the County Engineer position.

Motion by Kuecker, second by Oeltjenbruns, unanimous vote to allow advertising for the County Engineer position.

Motion by Oeltjenbruns, second by White, unanimous vote to hire Gerald Engstrom (retired County Engineer) as a part-time employee (less than 29 hours/week) at a rate of \$50/hour effective October 1, 2012 to help out in the interim process.

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County Engineer Ron Gregg met with the board to discuss several items. Gregg gave an update on the gravel crushing project. Gregg reported that Sterzinger Crushing Inc. has started putting up gravel on the Thomas Property.

Gregg discussed with the board the option of advancing regular state aid construction funds to pay for the engineering costs associated with past years projects. The approximate advance would be \$156,417.50. After further discussion, there was a motion by Oeltjenbruns, second by White, unanimous vote to take the option of advancing regular state aid construction funds to pay for the engineering costs associated with past years projects.

Gregg requested a computer replacement for the Highway Department. One of the computers failed last week and is not repairable. State bid quote is \$1,159.43 plus tax. Motion by Oeltjenbruns, second by Kuecker, unanimous vote to approve the purchase of a new computer off the state bid for an amount not to exceed \$1,200 plus tax.

Gregg requested final payment for Project SAP 17-619-004 bituminous overlay on CSAH 19 north of Dundee. Payment is to Murray County in the amount of \$56,733.31. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve final payment.

Gregg reported that no further action has been taken on the filling of the signman/engineer tech position. Gregg feels that the new engineer should be involved with the hiring of that position. Gregg did report that his one concern is that the county is short one snowplow driver with this position not yet filled.

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Motion by White, second by Kuecker, unanimous vote to renew flexible spending account (FSA) with Select Account for 2013 and to set the limits at \$2,500 for medical expenses and \$5,000 for dependent care expenses.

Motion by White, second by Oeltjenbruns, unanimous vote to set up a one-time Thrift Saver VEBA Account for those employees that choose to participate in the Wellness Initiative that do not already have a VEBA Account.

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Discussion was held regarding an appointment to the Western Community Action Board. Commissioner White was asked to serve on this board but further research will be done on this matter before making an official appointment.

Discussion was held regarding a letter that was recently received from Sam Bjorklund in regards to a drainage concern that he has. The board reviewed the letter and information supplied and they do not feel that the county should have any involvement in this matter. The County Attorney's Office will send a letter to Sam Bjorklund explaining the board's reasoning.

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Commissioner Oeltjenbruns gave an update regarding a Minnesota River Board meeting he recently attended. It was reported that the Minnesota River Board (MRB) recently approved a motion to begin developing a Request for Proposal (RFP) to secure additional ditch viewers to meet the increasing demand for redetermination of benefits in the basin. The lack of lead viewers has been expressed as a factor delaying ditch redeterminations. Motion by Kuecker, second by Oeltjenbruns, unanimous vote to express an interest to the MRB of Cottonwood County's potential desire to participate in a ditch viewer RFP.

Oeltjenbruns also discussed a Strategic Planning Meeting that he attended in regards to the possible future of MRB.

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Discussion was held regarding the October 9th regular board meeting. Time will be set aside at the end of this meeting to discuss the potential merger between Cottonwood-Jackson CHS, Cottonwood County Family Services, and Jackson County Human Services.

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Motion by White, second by Oeltjenbruns to accept resignation of Andy Geiger, Planning & Zoning/Solid Waste/Parks Administrator, effective October 19,

2012 with appropriate payout of benefits. Voting as follows: Aye – White, Oeltjenbruns, Kuecker and Holmen. Nay – Schmidt. Motion carried.

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Motion by Schmidt, second by Oeltjenbruns, unanimous vote to begin advertising for this position. It was noted that Gordy Olson, former P & Z Director for Jackson County, may be available to help out during this interim process.

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Motion by Oeltjenbruns, second by Kuecker, unanimous vote to recess as the County Board and to convene as the Ditch Authority to discuss a request by Tim Ketzenberg to replace approximately 1700 feet of open ditch in Section 20, the E 1/2 of the SW 1/4 and the E 1/2 of the S 1/2 of the NW 1/4 in Lakeside Township (County Ditch No. 15) with 16" of cement tile. The reason for this is to allow Ketzenberg to farm over the top of this area instead of around the open ditch. He is willing to pay the difference of the expense to install this tile verses one cleanout of the approximate 1700 foot ditch. The total cost for such a cleanout is valued at \$3.00/foot. Motion by Kuecker, second by Oeltjenbruns, unanimous vote to allow for the replacement of 1700 feet of open ditch with 16" of cement tile and to authorize the Ditch Authority to pay the \$5,155.80 for the cleanout expense towards Ketzenberg's installation cost. The ditch system would then assume all and any future repair of the buried tile.

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

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There being no further business, the meeting adjourned at 3:21 p.m.

Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Kelly Thongvivong, Executive Assistant