

October 12, 2010
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, October 12, 2010 at 9:00 a.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, Norm Holmen, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Karen Swenson, Rob Anderson, Paul Kirchner, Phil Skow, Dennis Nelson, Cornelius Blake, Ron Gregg and Jason Purrington. Absent was Commissioner Ron Kuecker.

Motion by Oeltjenbruns, second by Holmen, unanimous vote to approve additions to the agenda. Motion by Holmen, second by Sorenson, unanimous vote to approve the minutes of the October 5, 2010 meeting.

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Karen Swenson met with the board representing Brown-Nicollet CHS. She asked for the repeal of the current Cottonwood County Body Art Ordinance that was originally put in place on October 24, 2000. Motion by Holmen, second by Sorenson, unanimous roll call vote (Commissioner Kuecker was absent) to adopt resolution as follows:

**Resolution 10-10-12
Cottonwood County Ordinance**

AN ORDINANCE REPEALING THE COTTONWOOD COUNTY ORDINANCE FOR BODY ART PARLORS (to include tattooing and piercing) of OCTOBER 24, 2000.

THE COTTONWOOD COUNTY BOARD ORDAINS IN ACCORDANCE WITH THE AUTHORITY GRANTED IN LAWS OF MINNESOTA, MINNESOTA STATUTE 375.51 AS AMENDED AS FOLLOWS:

SECTION 1 – REPEALER

101.0 REPEAL OF ORDINANCE FOR BODY ART PARLORS (to include tattooing and piercing)

101.1 The existing Cottonwood County Ordinance for Body Art Parlors (to include tattooing and piercing) is hereby repealed.

SECTION 2 – EFFECTIVE DATE

201.0 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after October 12, 2010 or the date of its passage and publication according to law, whichever occurs first.

Dated this 12th day of October, 2010

S/Tom White, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Swenson presented the contract with Brown-Nicollet CHS to perform Environmental Health Services. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve the Food, Beverage & Lodging Contract with Brown-Nicollet CHS for 2011 in the amount of \$12,470.00.

Discussion was held regarding the Water Quality Board meeting that was held in September. It was noted that Brown County dropped out of the Joint Powers Board so Nicollet and Cottonwood County will either have to sign a new Joint Powers Agreement or formally dissolve the Joint Powers Board. The adoption of a resolution to withdraw from the Brown-Nicollet-Cottonwood Joint Clean Water Partnership Project will be considered at the next board meeting.

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

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|------------------------|---------------------|
| County Revenue Fund | \$139,462.26 |
| County Building Fund | \$ 9,796.54 |
| Ditch Fund | \$ 7,055.57 |
| Taxes & Penalties Fund | \$ 420.45 |
| Road & Bridge | \$150,667.68 |
| Waste Abatement/SCORE | \$ 5,402.51 |
| Landfill Enterprise | <u>\$ 14,342.74</u> |
| | \$327,147.75 |

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There were no loans or balance transfers to report on at this time.

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Motion by Holmen, second by Sorenson, unanimous vote to accept receipt of 2009 Final Audit Report.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to allow the Windom Chamber of Commerce to use the north side of the Courthouse grounds on October 30th for the Fall Festival.

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Mt. Lake Community Development Director Rob Anderson, Mt. Power Hydraulics President Paul Kirchner and Mt. Lake EDA member Phil Skow met with the board to report that after a public hearing was held on September 7th, the Mt. Lake City Council passed a resolution abating the city property taxes for Mt. Power Hydraulics of approximately \$15,000 a year for 6 years. Mt. Power Hydraulics now would like to request Cottonwood County abate the county property taxes for the company of approximately \$6,000 a year for 6 years. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to set Public Hearing regarding proposed property tax abatement for Mt. Power Hydraulics, Inc. for November 2nd at 9:05 a.m.

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Dennis Nelson and Cornelius Blake met with the board representing Wenck Associates, Inc. They presented information in regards to a geothermal system. They agreed to take a look at the Law Enforcement Center and come up with some kind of proposal before the next board meeting.

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County Engineer Ron Gregg met with the board to discuss a few different items. Gregg gave an update regarding 2010 construction projects. Commissioner Holmen reported on a concern of a resident in regards to County Road 44.

Gregg presented a copy of the letter along with photographs and narrative he will be sending to MPCA in response to the Notice of Violation of the Cottonwood County Sanitary Landfill that was received on September 13, 2010.

Discussion was held regarding the status of an employee's sick leave and vacation time available. This individual has very little hours remaining. Gregg was instructed to come up with a plan on how he plans to address the issue if this individual should deplete the hours available. This information will be presented at a future meeting.

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Sheriff Jason Purrington met with the board to discuss the roof of the Law Enforcement Center. There have been many issues with leaking problems this year so in the next year or two something will need to be done with the roof to address these problems.

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Discussion was held regarding the Environmental Office and the staffing issues. Motion by Holmen, second by Sorenson, unanimous vote to begin conversations with Jackson County regarding the possibility of contracting with them to help out in emergency situations while Cottonwood County is without a Department Head in the Environmental Office. Chairman White appointed Commissioners Holmen and Oeltjenbruns to meet with Jackson County representatives in regards to this matter.

Discussion was held regarding clarification in regards to upcoming training that Mike Hanson would be attending next week in Mankato. No further action was taken.

Chairman White reported that Mike Hanson has not yet contacted Dale Minion in regards to the crushing of rock.

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

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to set Public Hearing for proposed improvement for consolidated JD #2 for October 26, 2010 at 1:05 p.m.

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

At 11:55 a.m. the meeting was closed to discuss strategy for labor negotiations with the following individuals being present: Commissioners White, Holmen, Oeltjenbruns, Sorenson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; and County Attorney Doug Storey. Commissioner Kuecker was not in attendance. The board came to a consensus on what they would like to offer to the five unions.

Motion by Holmen, second by Sorenson, unanimous vote to open the meeting at 12:12 p.m.

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Auditor/Treasurer Jan Johnson handed out the monthly trial balance for the board's review as well as some information in regards to Blue Cross and Blue Shield renewal.

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Discussion was held regarding a letter recently received from Dan Birkholz in regards to Greg Johnson's Notice of Appeal to Step II of the Grievance Procedure. County Attorney Doug Storey will try to get a meeting scheduled for Commissioner Sorenson, himself, Greg Johnson and Dan Birkholz within the next few days.

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There being no further business, the meeting adjourned at 12:35 p.m.

Jan Johnson, Auditor/Treasurer

Tom White, Board Chairman

Kelly Thongvivong, Bd. Adm. Assistant