

January 10, 2006  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, January 10, 2006 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. 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; Westbrook American Government Class, Lynn Arndt, Jason Purrington, Patrick Pelstring, Elton Goeman, Larry Goeman, Mike Hanson, Craig Myers, Ron Gregg, Dennis Nelson, David Parenteau and Mark Marcy. Motion by Severson, second by Oeltjenbruns, unanimous vote to approve the additions of the agenda. Motion by Oeltjenbruns, second by Severson, unanimous vote to approve the minutes of the January 3, 2006 meeting as amended.

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Sheriff Jason Purrington met with the board to discuss the possibility of hiring part-time deputies that will be used for such things as: court ordered transports, picking up warrants in other counties and filling shifts if necessary. By using part-time deputies, Purrington is hoping to save on overtime of the full-time deputies. Purrington stated that he currently has three part-time jailer/dispatchers that are currently licensed or will be licensed in the near future that he will be able to utilize for these positions.

Purrington reported that the roof at the LEC has had some further problems with leaking and that he has contacted Laraway Roofing and they are supposed to be sending someone down to look at the problem. If he needs to contact someone further, he was instructed to do so as the problem needs to be taken care of as soon as possible.

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Motion by Oeltjenbruns, second by Holmen, unanimous vote to adopt out-of-state travel policy as presented, which is required by state statute.

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Patrick Pelstring met with the board representing Tribute Capital, LLC to give an update on the Jeffers Wind Energy Center and to seek support of a resolution for the development of the Jeffers Wind Energy project as a C-BED project. He reported that there are currently 37 landowner investors involved with the project in Cottonwood County. Motion by Sorenson, second by Holmen, unanimous roll call vote to adopt resolution as follows:

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**COTTONWOOD COUNTY  
RESOLUTION ACKNOWLEDGING  
COMMUNITY-BASED ENERGY DEVELOPMENT  
(C-BED) STATUS FOR WIND PROJECT  
06-01-10B**

**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 of the County; and

**WHEREAS**, the Jeffers Wind Energy Center is proposed for development in Storden, Amboy Townships 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 Summit Wind 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 60 megawatts of wind energy to be produced by 24, 2.5 MW turbines; 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 for the development of the Jeffers 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

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S/Ron Kuecker, Board Chairman

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Environmental Officer Mike Hanson met with the board in regards to the water plan update that is due for renewal in 2007 as the last time it was updated was in 1997. Hanson reported that the Environmental Office will do some of the work in-house but they may utilize the services of SRDC as well. Hanson anticipates coming to the board for approval to contract with SRDC at a future meeting. Motion by Oeltjenbruns, second by Sorenson, unanimous roll call vote to adopt resolution as follows:

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**Resolution to Update the  
Cottonwood Comprehensive Water Management Plan  
Resolution #06-01-10**

**WHEREAS**, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a Local Water Management Plan, and

**WHEREAS**, the Act requires that a county update and revise their Local Water Management Plan on a periodic basis, and

**WHEREAS**, the Act encourages that a county coordinate its planning with contiguous counties, and solicit input from local governmental units and state review agencies, and

**WHEREAS**, the Act requires that plans an official controls of other local governmental units be consistent with the Local Water Management Plan, and

**WHEREAS**, Cottonwood County has determined that the revision and continued implementation of the Local Water Management Plan will help promote the health and welfare of the citizens of Cottonwood County, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Cottonwood County Board of Commissioners resolve to revise and update its current Local Water Management Plan.

**BE IT FURTHER RESOLVED** that Cottonwood County will coordinate its efforts in the revision and update of its plan with all local units of government within the county, and the state review agencies; and will incorporate, where appropriate, any existing plans and rules which have been developed and adopted by watershed districts having jurisdiction wholly or partly within Cottonwood County into its Local Water Management Plan.

**BE IT FURTHER RESOLVED** that pursuant to M.S. 103B.301, the Cottonwood County Board of Commissioners delegates to the Environmental Office the responsibility of coordinating, assembling, writing and implementing the Local Water Management Plan; including establishing an advisory committee to facilitate the revision process.

S/Jan Johnson, Auditor/Treasurer

Hanson reported that letters were recently sent out to 15-18 entities as well as Red Rock Rural Water in regards to a meeting that will be held on January 18<sup>th</sup> at 1:30pm in the Conference Room at the Cottonwood County Office Building to discuss the matter of aggregate mining.

Discussion was held regarding Mike Decker's recent request, on behalf of the Elmendorf Colony of Mt. Lake, to address the ordinance that is currently limiting the colony from having more families living together in one section. Hanson stated that he is hoping to get the aggregate mining issue resolved before beginning the process of addressing the next few issues one of which is the housing issue but that it would be addressed sometime soon.

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Family Service Agency Director Craig Myers met with the board to request that the board consider allowing FSA employees to donate sick leave hours to an individual who has recently exhausted all of their own sick leave hours. Motion by Severson, second by Sorenson, unanimous vote to allow donation of sick leave to this individual on an hour for hour basis within the Family Service Agency. These hours are to be taken from normal sick leave and placed in a catastrophic sick leave account for this individual. This will be done on a case-by-case basis only.

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County Engineer Ron Gregg met with the board to discuss a few items. Gregg reported that final selection has been made for the Solid Waste Worker position and that he recommends hiring Thomas Keech of Mt. Lake. Motion by

Holmen, second by Severson, unanimous vote to offer the position of Solid Waste Worker to Thomas Keech of Mt. Lake. He will begin at step 1 of the 2006 pay scale and will work the same hours as was originally proposed to the board on January 3<sup>rd</sup>.

Gregg reported that he received a request from Todd and Wyatt Bloch to exercise the option to rent the property adjacent to the landfill for a fourth year. Motion by Oeltjenbruns, second by Severson, unanimous vote to extend the contract for an additional year for Todd and Wyatt Bloch at the contract rate of \$4,800.

Motion by Holmen, second by Severson, unanimous vote to approve final payment in the amount of \$78,216.18 on the CSAH 3 Project. It was noted that the final contract amount (\$1,564,323.45) was a little higher than the contract amount (\$1,551,776.81) as a result of grading changes to the project.

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Dennis Nelson and David Parenteau met with the board representing Wenck Engineering to give a presentation in regards to some of the services that they may be able to provide for the county.

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Auditor/Treasurer Johnson opened up the one bid that he received for the 2006 official newspaper. Bid was as follows: Cottonwood County Citizen - \$6.70/column inch plus \$2.25 for other two county papers; \$.10/subscriber; and \$1,240 for Financial Statement. Motion by Holmen, second by Oeltjenbruns, unanimous vote to award the bid to the Cottonwood County Citizen as the 2006 official newspaper.

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Emergency Management Director Mark Marcy met with the board to discuss several items one of which was in regards to pay rate and timesheet issues as well as some of the concerns Marcy has with attending training for Emergency Management certification. Motion by Severson, second by Sorenson, unanimous vote to revise 2006 Emergency Management budget to reflect an increase from \$6,000 to \$10,000. Beginning in 2006, Marcy will be paid a set dollar amount each month for his emergency management responsibilities.

Motion by Oeltjenbruns, second by Severson, unanimous vote to approve application for CEDAP equipment grant in which Marcy is hoping to receive a hand-held thermal camera.

Motion by Sorenson, second by Holmen, unanimous vote to approve Operation Ranger grant application in which Marcy is hoping to receive a 6-wheeler.

Marcy updated the board in regards to an upcoming meeting that will be held on January 30<sup>th</sup> at the LEC. This meeting will be held to discuss radio communications and some of the recent problems that have occurred with different radio frequencies amongst area fire departments.

Marcy asked the board for permission to purchase clothing that can be used to wear to Emergency Management Conferences. Because there is not currently a line item for this in the 2006 Emergency Management budget, there was a motion by Sorenson, second by Severson, unanimous vote to transfer \$200 from the "miscellaneous equipment" line item to a line item entitled "uniform" so that Marcy can purchase some clothing.

Motion by Holmen, second by Oeltjenbruns, unanimous vote to allow Marcy to attend HSEM Governor's Conference March 7<sup>th</sup> & 8<sup>th</sup> in the Metro area and to pay for all eligible expenses.

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

**Resolution to Exempt Local Elections from HAVA Requirements  
06-01-10A**

**WHEREAS**, the Federal Government passed the Help America Vote Act (HAVA) of 2002 in an effort to accommodate handicap voters in federal elections and the Minnesota Legislature extended the requirements of the HAVA law to state and local elections in 2004; and

**WHEREAS**, while there are state and federal funds available to assist in the purchase of assisted voter machines, optical scan vote tabulating equipment, and training and election costs for the 2006 election, this funding will not cover on-going costs to operate, store, maintain, and program the machines as well as the additional costs associated with publishing notices of and holding accuracy tests, and purchasing expensive ballots for the electronic machines; and

**WHEREAS**, programming costs alone are estimated to be several hundred to over a thousand dollars per election, and whereas there may be other additional costs such as additional ballot printing that will significantly increase the expense for conducting elections; and

**WHEREAS**, it is cost prohibitive for most townships to use electronic machines for the Annual March Town Elections since the per capita cost of using electronic machines would be very high, and because of this, were given a temporary exemption until December 31, 2007;

**THEREFORE BE IT RESOLVED**, that Cottonwood County requests that the state exempt local township elections from the HAVA mandates and provide on-going funding to operate, store, maintain, and pay for programming costs for the machines for all future elections, including the March Town Elections if not exempted.

S/Jan Johnson, Auditor/Treasurer  
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S/Ron Kuecker, Board Chairman  
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Motion by Sorenson, second by Oeltjenbruns, unanimous roll call vote to adopt resolution as follows:

**Resolution 06-01-10C  
Cottonwood County Transit System  
Vehicle Procurement**

**WHEREAS**, Cottonwood County operates a transit system; and

**WHEREAS**, Cottonwood County Transit desires to purchase, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and

**WHEREAS**, the vehicle cost is allocated 20% local share and 80% State/Federal share;

**NOW, THEREFORE, BE IT RESOLVED** that Cottonwood County Board of Commissioners hereby authorizes the purchase of a new transit bus to be purchased with a maximum amount of \$54,000.

S/Jan Johnson, Auditor/Treasurer

S/Ron Kuecker, Board Chairman

Chairman Kuecker appointed Commissioner Sorenson to help out with the process of getting a new bus.

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As per Minnesota Statutes, the County Board is required to set the minimum salaries for elected county officials who will be elected in 2006 and take office in January of 2007. Motion by Oeltjenbruns, second by Holmen, unanimous vote to set full-time minimum salaries as follows:

County Auditor/Treasurer	\$37,208
County Recorder	\$31,446
County Sheriff	\$37,208
County Attorney	\$37,208

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Motion by Severson, second by Holmen, unanimous vote to set Doug Storey's 2006 salary at \$60,000.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to set Jason Purrington's 2006 salary at \$57,700.

Motion by Severson to set Mary Ann Anderson's 2006 salary at \$51,000. Motion died for lack of a second. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to set Mary Ann Anderson's 2006 salary at \$50,500.

Motion by Holmen, second by Severson, unanimous vote to set Jan Johnson's 2006 salary at \$75,000.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve law library fee ratification to reduce the law library fee from \$10 to \$5 effective July 1, 2006.

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Motion by Sorenson, second by Severson, unanimous vote to approve January warrants as follows:

County Revenue Fund	\$366,341.39
Long Term Capital Outlay	\$ 1,863.75
County Building Fund	\$ 620.49
Ditch Sinking 3 (JD 2) Fund	\$ 27,987.50
Taxes and Penalties Fund	\$ 225.00

Road & Bridge Fund	\$101,777.13
Waste Abatement/SCORE	\$ 13,596.59
Landfill Enterprise Fund	<u>\$ 11,262.24</u>
TOTAL	\$523,674.09

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Discussion was held in regards to the current fire alarm system at the courthouse and what needs to be done to make sure the current system is adequate and up-to-date. Motion by Holmen, second by Severson, unanimous vote to allow Auditor/Treasurer Johnson to pursue updating the current fire alarm system.

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Motion by Severson, second by Sorenson, unanimous vote to allow Chairman Kuecker to sign Memorandum of Understanding between LELS and Cottonwood County concerning the employee insurance contribution.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to pay 2006 dues to Rural Minnesota Energy Task Force in the amount of \$2,000.

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Chairman Kuecker mentioned some thoughts he has had in regards to the possibility of offering a 15-minute question and answer session to the public at one of the board meetings each month. This would be an opportunity for the general public to be able to ask a question of the board and to be able to get a response or be directed to the appropriate person for the answer. Stearns County is currently doing something similar to this.

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Motion by Oeltjenbruns, second by Severson, unanimous vote to approve special bill for a conference registration from October 2005 that has not yet been paid.

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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