

May 16, 2017
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 16, 2017 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Tom Appel, Donna Gravley, Jim Schmidt, Kevin Stevens, Norm Holmen; County Coordinator Kelly Thongvivong, County Attorney Nick Anderson, Auditor/Treasurer Jan Johnson, Kathy Marsh, Brad Odegard, Laura Sandmeyer, Jared Morrill, Roger Ambrose, Jed Rhubee, Jason Purrington, Gale Bondhus, Roger Risser, Dave Wells, Dominic Jones, Jan Voit, and Rahn Larson.

Chairman Appel called the meeting to order. The Pledge of Allegiance was recited. Motion by Gravley, second by Stevens, unanimous vote to approve the agenda. Motion by Holmen, second by Schmidt, unanimous vote to approve the minutes of the May 2, 2017, meeting.

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Brad Odegard, Department of Corrections District Supervisor, and Laura Sandmeyer, Sentence to Serve Supervisor, met with the board to renew the Sentence to Serve Contract. Commissioner Gravley asked a few questions regarding the program and the locations that are worked. After discussion, motion by Gravley, second by Stevens, unanimous vote to approve the Sentence to Serve Contract for July 1, 2017 through June 30, 2019.

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Jared Morrill, Planning & Zoning Technician, met with the board to discuss a few items. Morrill presented a Conditional Use Permit request from David Wells for mining, extraction and operation of a portable crushing plant in Great Bend Township, Section 8; and a Conditional Use Permit request from Mary L. Walinga for mining, extraction and operation of a portable crushing plant in Great Bend Township, Section 16. Morrill informed the board that a public hearing was held on Friday, May 5, for both Conditional Use Permits. Motion by Schmidt, second by Holmen, unanimous vote to deny the Conditional Use Permit requested by David Wells for mining, extraction and operation of a portable crushing plant in Great Bend Township, Section 8, as recommended by the Planning Commission due to answering no on questions 1 and 3 in the Cottonwood County Criteria for granting conditional use permits.

Motion by Gravley, second by Schmidt, unanimous vote to approve the Conditional Use Permit request from Mary Walinga for a mining, extraction and operation of a portable crushing plant in Great Bend Township, Section 16, with the following conditions: (1) Shall be in compliance with the Cottonwood County Ordinance #28 and #36 - Mining, Extraction and Excavation; (2) Shall obtain all necessary local, state, and federal permits; (3) Initial \$5,000 reclamation bond for 5 acres mined or non-reclaimed and additional \$1,000 bond per additional acre; (4) reclamation plan to strike "to try" and replace it with "establish cover which is feasible;" and (5) have a refuse container on-site or to remove on-site refuse as needed.

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Jed Rhubee, Highway Maintenance Superintendent, met with the board to discuss a few items. Motion by Stevens, second by Schmidt, unanimous vote to enter into a contract with Sandra Melton of Aurora, Colorado, to serve as camp host for the 2017 camping season dependent upon successful completion of a background check and drug test.

Rhubee presented rates for Talcot Park extended stays. Motion by Holmen, second by Gravley, unanimous vote to approve the 2017 Talcot Park Extended Stay rates as follows: 1 week/7 nights - \$150; 2 weeks/14 nights - \$275; 3 weeks/21 nights - \$400; and 4 weeks/28 nights - \$500.

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Jan Voit, Heron Lake Watershed District Administrator, presented an update on the 2016 activities of the Heron Lake Watershed.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Thongvivong stated that the HR Department is still working on hiring two more seasonal employees for the Public Works Department and that there might be a possibility we would need to re-advertise. Motion by Schmidt, second by Stevens, unanimous vote to re-advertise for seasonal employees, if necessary.

Thongvivong informed the board that an employee is requesting a Hardship Leave as they have a very limited amount of sick, vacation, comp, and personal time and will be needing to take 6-8 weeks off. Thongvivong wanted to clarify the difference between the Hardship Leave Policy and the Sick Leave Donation Policy. After much discussion, motion by Gravley, second by Stevens, unanimous vote to approve a Sick Leave Donation request for an employee who has requested donations of leave as per Personnel Policy #170.

Thongvivong informed the board that an employee has requested an unpaid leave of absence as needed for a period of up to 3 months due to persistent medical and personal issues, which the HR Department is aware of. Motion by Holmen, second by Schmidt, unanimous vote to deny the leave of absence request based on other options within the personnel policy that are available to this individual.

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Motion by Stevens, second by Schmidt, unanimous vote to approve May warrants as follows:

County Revenue Fund	\$ 53,004.87
Road & Bridge Fund	\$ 23.10
Long Term Capital Outlay	\$ 15,393.94
County Building Fund	\$ 926.23
Ditch Fund	\$ 70.62
Agency Fund	\$ 629.00
County Revenue Fund	\$ 3,020.97
Road and Bridge Fund	\$ 89,947.52
Waste Abatement/Score Fund	\$ 711.24
Landfill Enterprise	<u>\$ 13,314.73</u>
	\$177,042.22

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Commissioner Gravley informed the board that a rough draft of the garbage and recycling contract will be sent out before the next board meeting. Gravley also informed the board that the compactor at the landfill is not working.

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Roger Risser, Interim County Engineer/Public Works Director, presented the bids for CSAH 1. Motion by Holmen, second by Stevens, unanimous vote to accept the low bid from PCI Roads in the amount of \$3,019,113.30 for Project 017-601-022/017-070-003, CSAH 1 Bituminous Milling and PCC Overlay. (Bids are on file in the County Coordinator's office.)

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Motion by Gravley, second by Stevens, unanimous vote to recess the Regular County Board Meeting at 10:37 a.m. for the purpose of holding a special meeting to interview the finalist for the County Engineer/Public Works Director position.

At 11:08 a.m. the Regular Board Meeting was reconvened.

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Commissioner Appel gave a short building update.

Commissioner Appel and Auditor/Treasurer Jan Johnson led a discussion regarding the Public Works credit card.

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Motion by Holmen, second by Stevens, unanimous vote to close the meeting at 11:24 a.m. as permitted by Minnesota Statute 13D.05 Subd. 3(b) to discuss the litigation of Prime Pork vs. Cottonwood County. Individuals present for the closed meeting were: Commissioners Norm Holmen, Donna Gravley, Tom Appel, Jim Schmidt, Kevin Stevens, County Attorney, Nick Anderson, County Coordinator Kelly Thongvong; Auditor/Treasurer Jan Johnson, Kathy Marsh, and Gale Bondhus.

Motion by Schmidt, second by Gravley, unanimous vote to open the meeting at 11:48 a.m.

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There being no further business, the meeting was adjourned at 11:48 a.m.

Jan Johnson, Auditor/Treasurer

Thomas D. Appel, Board Chairman

Kelly Thongvong, County Coordinator