

March 22, 2011
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 22, 2011 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Ron Kuecker. Present for all or portions of the meeting were: Commissioners Ron Kuecker, John Oeltjenbruns, Jim Schmidt, Tom White; Administrative Assistant Kelly Thongvong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Mary Krumwiede, Jason Purrington, Ron Gregg, Leslie Makovsky, Jane Hennagir, Cheryl Knudson, Rahn Larson, Douglas Kuehl, Wes Kroeker, Elmer Wieneke, Mike Wiens, Andy Baerg, Mike Adrian, Cindy Johnson, Brett Lohrenz, Dick Wiens, Jon Wiering and Gerald Engstrom. Absent was Commissioner Norm Holmen.

Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve additions to the agenda. Motion by White, second by Schmidt, unanimous vote to approve the minutes of the March 8, 2011 meeting as amended. Motion by Oeltjenbruns, second by White, unanimous vote to approve the minutes of the March 14, 2011 special meeting.

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Mary Krumwiede met with the board to voice her concerns with the way reservations are being handled at Talcot Park for the 2011 camping season. The board reminded her that this is a transition year and once a new Department Head is hired hopefully some of these issues will be worked out.

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Sheriff Jason Purrington met with the board to discuss a few different items. Purrington presented a Joint Powers Agreement (JPA) between the State of Minnesota, BCA and Cottonwood County. This JPA will cover all of our current JPA's that we already have with the state and BCA. The goal for the state is to streamline all of our current JPA's that we have into one. Some of the things that this would cover would be Criminal Histories, MRAP, CYBERS, POR and CJDN. There is no cost increase in this JPA. Motion by White, second by Schmidt, unanimous roll call vote (Commissioner Holmen was absent) to authorize Chair and Vice-Chair to sign Joint Powers Agreement and to adopt resolution as follows:

Resolution 11-03-22A

Approving State of Minnesota Joint Powers Agreements with the County of Cottonwood on behalf of its County Attorney and Sheriff

WHEREAS, the County of Cottonwood on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity,

systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Cottonwood, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Cottonwood on behalf of its County Attorney and Sheriff are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the Board Chair, Ron Kuecker, or his successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Vice Board Chair is appointed as the Authorized Representative's designee.

3. That the Board Chair, Ron Kuecker, or his successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Vice Board Chair is appointed as the Authorized Representative's designee.

4. That Ron Kuecker, the Chair of the County of Cottonwood, and Norm Holmen, the Vice Board Chair, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Board on this 22nd day of March, 2011.

S/Ron Kuecker, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Purrington reported that Cottonwood County received additional funds through the PSIC grant that was applied for through the Regional Radio Board. Cottonwood County has been awarded \$18,727 with a 20% match of \$4,682 for a total of \$23,409. The 20% match of the grant was budgeted for this year. A portion of the grant will be used to provide Windom and Westbrook hospitals with a console station that they will use to communicate on the ARMER system. The remaining amount will be used for subscriber equipment. Motion by Oeltjenbruns, second by White, unanimous vote to approve state quote in the amount of \$23,375.38 from Motorola with a 20% county match of \$4,682.

Purrington reported that the Blandin Grant that the City of Windom Police Department, Fire Department, Ambulance Department and Cottonwood County Sheriff's Department applied for has been awarded. The City of Windom will be the financial host and all information and transactions will go through them.

Purrington would like to use the grant money to purchase 5 laptop computers for five county squad cars with the county cost being \$100/computer. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve Contractor Agreement between the City of Windom and Cottonwood County for this purchase.

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County Attorney Nick Anderson gave a brief update regarding the meth lab that was located in the City of Windom. Anderson reported that final testing of the house was done last Friday.

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Motion by White, second by Schmidt, unanimous vote to approve final bill in the amount of \$13,913.20 from Borsgard Construction for remodeling project in the Assessor's Office contingent on receipt of all completed IC-134 forms from sub-contractors.

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Brief discussion was held regarding a budget change as a result of the LEC roof construction that was recently approved. The board decided to hold off on amending the budget until the work has been completed.

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It was noted that Cottonwood County has received a recycling rebate in the amount of \$6,637.81 from Tri-County Recycling.

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Brief discussion was held in regards to whether or not a volunteer driver for the Veterans Office would need to be drug tested. MCIT will be contacted for their input.

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Commissioner Oeltjenbruns gave an update regarding a few meetings he recently attended. Oeltjenbruns reported that representatives from the Fairmont ethanol plant came in to give a presentation to the GBERBA committee and informed them that MPCA wants to shut down the plant if they are unable to come up with an alternate plan to dump water.

Oeltjenbruns gave a brief update regarding the Minnesota River Board and reported on some of the recent cuts to this organization by the state.

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Motion by Oeltjenbruns, second by White, unanimous vote to recess as the County Board and to convene as the Ditch Authority at 10:03 a.m. for the purpose of the continuation of JD #32 public hearing.

It was reported that the Adrian and Malone properties had some changes as a result of a question that was asked at the March 8th public hearing and this is reflected in the amended viewers' report. After much discussion in regards to the amount that should be set for crop damages, there was a motion by Oeltjenbruns, second by White, unanimous vote to accept final report and to set crop prices for damages at a rate of \$850 per acre for corn and \$600 per acre for beans.

Motion by White, second by Oeltjenbruns, unanimous vote to accept viewers report and to accept final project for JD #32.

Motion by Oeltjenbruns, second by Schmidt, unanimous vote to authorize advertising of bids for JD #32 improvement project.

JD #10 tile construction bids were opened as follows: Gustafson Drainage LLC - \$207,360 and Svoboda Excavating, Inc. - \$288,260. Motion by Oeltjenbruns, second by White, unanimous vote to accept the low bid in the amount of \$207,360 from Gustafson Drainage LLC.

Motion by Oeltjenbruns, second by White, unanimous vote to advertise for the cleanout and repair of JD #10.

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

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County Engineer Ron Gregg met with the board to discuss several items. January and February budget reports for the County Highway Department were reviewed. The 2010 Annual Report was also distributed to the board members.

The spring road tour was tentatively scheduled for Tuesday, May 17th, 2011.

Three bids for the 3-year rental of property adjacent to the landfill were as follows: Wyatt Bloch - \$11,800; Scott Veenker - \$7,500; Mike Harrington - \$9,100. Motion by Oeltjenbruns, second by White, unanimous vote to accept the high bid in the amount of \$11,800 from Wyatt Bloch for rental of property adjacent to the landfill.

Gregg asked that the board review and approve the Advance Construction Agreement for the Federal participation on the CSAH 13 project. Motion by Schmidt, second by Oeltjenbruns, unanimous roll call vote (Commissioner Holmen was absent) to adopt resolution as follows:

Resolution 11-03-22

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Cottonwood County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the County Board Chairman and the County Auditor/Treasurer are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 98543", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Dated: March 22, 2011

S/Ron Kuecker, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Motion by Oeltjenbruns, second by Schmidt, unanimous vote to allow Chairman to sign Advance Construction Agreement.

Gregg asked that the board allow him to review the quotes that have already been received for professional services for the construction of Cell 7 at the landfill as well as partial closure of Cells 4, 5 & 6. Two quotes were received as follows: Wenck - \$40,690 and SEH - \$50,082. Motion by White, second by Schmidt, unanimous vote to accept low quote in the amount of \$40,690 from Wenck.

Motion by Oeltjenbruns, second by White, unanimous vote to approve final payment in the amount of \$6,376.61 for SAP 17-599-90 (Storden Township bridge replacement project).

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Administrative Assistant Leslie Makovsky met with the board to ask for consideration of a conditional use permit for Douglas Kuehl to construct and operate a 39.9 kW Polaris Turbine to be located in the City of Westbrook. The conditional use permit was approved by the Planning Commission at a public hearing held on March 16th. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve the conditional use permit with 11 conditions mentioned.

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Jane Hennagir, Risk Management Consultant, from Minnesota Counties Intergovernmental Trust met with the board to give the annual report for Cottonwood County. She reported that MCIT issued a total of \$20 million in dividends in 2010 and Cottonwood County has received \$448,000 in dividends in the past five years.

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County Attorney Nick Anderson presented a state bid for the purchase of three new computers in the amount of \$3,420.25 and Microsoft Office in the amount of \$817.23 (for 3 computers). Anderson also presented a quote in the amount of \$672.81 from CDW Government for the purchase of a new printer. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to accept the purchase of three computers, Microsoft Office and a printer in the amount of \$4,910.29.

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Commissioner White gave an update regarding RSVP. He reported that Cottonwood County currently has 279 enrolled volunteers.

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Chairman Kuecker reported that he received a letter from the Minnesota Department of Health regarding the two wells at the N. 71 County Office Building. The county will need to pay \$175 to seal each well unless the county can justify the need for continued usage and then there will be no charge. The thoughts of the board would be to seal one of the wells and try to maintain the other one. The board will have until July 1st to act on this.

Kuecker reported that he recently had a conversation with Lang Jensen in regards to the mowing contract. Kuecker thinks the board should allow Jensen

to mow Pat's Grove and to allow him to resubmit a quote for that portion of the mowing to add to the regular bid.

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Discussion was held regarding the Planning & Zoning Administrator/Parks Director position. It was reported that Ann Antonsen, consultant with Springsted Incorporated, recently recommended that the position be pointed at 464 points. Chairman Kuecker seemed to think the pointing for this position was too high and thought it should fall more in the range of 409 points. Brief discussion was held in regards to whether or not the county board should go against the recommendation of our consultant. The consensus was that the board has the right to place the position where they feel it best fits on the matrix. Motion by Oeltjenbruns, second by Schmidt to point the Planning & Zoning Administrator/Parks Director position at 409 on the county matrix and to approve the developed pay scale for this position. Voting as follows: Aye – Oeltjenbruns, Schmidt and Kuecker. Nay – White. Commissioner Holmen was absent. Motion carried.

Chairman Kuecker reported that he contacted all of Andrew Geiger's references and everything checked out good. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to offer the position of Planning & Zoning Administrator/Parks Director to Andrew Geiger on Step 4 of the 2011 matrix pending successful completion of all hiring requirements. Geiger will be eligible to receive a step increase after successful completion of a 6-month probationary period.

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There being no further business, the meeting adjourned at 1:00 p.m.

Jan Johnson, Auditor/Treasurer

Ron Kuecker, Board Chairman

Kelly Thongvivong, Executive Assistant