

May 24, 2005  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 24, 2005 at 1:00 p.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Chuck Severson, Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Bob Haken, Jason Purrington, Kurt Woodruff, Michael Haanpaa, Phil Johnson, Buckwheat Johnson and Ron Gregg. Motion by Kuecker, second by Sorenson, unanimous vote to approve the additions of the agenda. Motion by Oeltjenbruns, second by Holmen, unanimous vote to approve the minutes of the May 10, 2005 meeting as amended.

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Michael Haanpaa from Northern PCS Services, a Sprint PCS affiliate, met with the board to discuss a proposal to build a new tower in Windom as NPCS is looking at expanding their coverage along Hwy 60 through Windom. Since Cottonwood County's current tower cannot support their proposed loading, Haanpaa presented three different options for the construction of a new tower. The board agreed that Option 1 would be the most desirable option. Haanpaa was asked to put together some further information in regards to the lease and to send a copy for the board to review.

Sheriff Bob Haken said that Johnson Controls recently contacted him in regards to a maintenance agreement for the LEC. The board suggested that Haken might want to contact Verlo Adrian for a quote as well.

Haken mentioned that he recently received a call from Jerry Hayes in regards to an air conditioner unit in the weather room in the Jeffers County shop. It seems that the current system is not working properly in ventilating the room. Haken will do some further checking into this matter.

Haken reported that he conducted two interviews for a part-time jailer/dispatcher yesterday and that he would recommend hiring both of the individuals he interviewed due to upcoming vacations of current staff and the current rotation of the schedule. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to hire Dustin Miller and Paul Johnson as part-time jailer/dispatchers effective May 25, 2005 upon recommendation of Haken.

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Phil Johnson met with the board to inform them that he felt the County Assessor was doing an excellent job and is treating people fair but that he had some concerns with the taxes on some of his buildings and asked that they be considered for reduction. Commissioner Holmen informed Johnson that the board was not able to make any changes to any properties at this particular meeting but that he could attend the Board of Equalization meeting in June if he wanted to.

County Engineer Ron Gregg met with the board to discuss a few miscellaneous items. Discussion was held in regards to the CSAH 29 drainage issue that is still not completely resolved. County Attorney Doug Storey will work together with Gregg on the language of the contract to better clarify any remaining questions.

Gregg requested that the Office Manager/Highway Accountant job description be updated to reflect the additional work associated with the combining of the Highway and Solid Waste Departments. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to update job description and present to the board for their review before sending in to Labor Relations to be re-pointed by the Hay System if necessary.

Quotes were received for a new recycling trailer and shed for the recycling station in Mt. Lake. Quotes for a new recycling shed were as follows: Lamperts - \$1170.44 and Swede's Surplus - \$1095.00. Motion by Holmen, second by Kuecker, unanimous vote to authorize Gregg to purchase two 8x12 sheds at low quote after shipping costs are figured in.

According to Minnesota Statute the County Board shall appoint the County Engineer in May. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to appoint Ron Gregg as County Engineer for a 4-year term.

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Motion by Sorenson, second by Kuecker, unanimous vote to accept tax-deductible guidelines for meals as follows:

**Tax-Deductible Guidelines For Meals  
When Combined With An Overnight Stay**

**The day before overnight stay**

- Leave before 7:00am                    3 meals for that day
- Leave 7:00am – 11:00am            2 meals for that day
- Leave 1:00pm – 5:00pm            1 meal for that day

**The day after the overnight stay**

- Return home after 10:00am        1 meal for that day
- Return home after 3:00pm        2 meals for that day
- Return home after 7:00pm        3 meals for that day

\*\*An agenda with meeting times and location must accompany meal claims.

These guidelines will be effective June 1, 2005 and will be added to the Personnel Policy at the first opportunity as it is currently being updated.

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Motion by Holmen, second by Kuecker, unanimous vote to adopt resolution as follows:

**Resolution 05-05-24**

**WHEREAS**, the Board of Cottonwood County Commissioners is recommending to the Planning and Zoning Board that it seriously consider the possibility of making mining operations a conditional use in the agricultural district of the Cottonwood County Zoning Ordinance; and

**WHEREAS**, there was concern expressed by the Board members that before the time such a study could be completed that there is a possibility that many new or expanded mining operations could come into existence; and

**WHEREAS**, there were concerns expressed about environmental quality being maintained and making sure that any future mining activities must peacefully coexist with the protection of drinking water sources in the County; and

**WHEREAS**, the Cottonwood County Board of Commissioners did not feel they had sufficient information before them at the current time to make decisions about regulatory controls;

**NOW, THEREFORE, BE IT DETERMINED** that the Cottonwood County Board of Commissioners directs the staff of the Zoning Officer to commence and complete a study of mining operations, including current technologies and the impact of such mining operation on the natural environment and natural resources of Cottonwood County;

**BE IT FURTHER DETERMINED**, that Cottonwood County Planning and Zoning Commission is to meet and consider the information provided to it by staff and consider the implementation of an amendment to the Zoning Ordinance to make mining operations a conditional use in the agricultural district of the Cottonwood County Zoning Ordinance;

**BE IT FURTHER DETERMINED**, that commencing immediately and continuing through the 9<sup>th</sup> day of May, 2006, no permit for a new or expanded mining operation shall be processed or approved and no applications for such approval will be accepted for mining within 10-year time of travel zones as designated by the Minnesota Department of Public Health for public wellhead protection. Provided, however, that such moratorium time period may be shortened if the amended ordinance becomes effective at an earlier date.

S/Jan Johnson, Auditor/Treasurer

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S/Chuck Severson, Board Chairman

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Commissioner Oeltjenbruns updated the board on a few meetings that he has recently attended. Oeltjenbruns reported that the Energy Task Force dues for 2006 would remain the same as 2005 at \$2,000. It was noted that 12 new wind towers are currently being constructed North of Bingham Lake and that a group from the Jeffers area is still wanting to go ahead with plans for wind towers in that area.

Oeltjenbruns informed the board that it would be beneficial from now on if the process for a re-determination of an open ditch is started 1-year ahead of time. It was reported that 2005 dues to BERBA in the amount of \$2,000 have not yet been paid. Since Cottonwood County has received approximately \$16,000 in grant dollars since this group began, it would be beneficial to remain with the group at this time. Commissioner Kuecker will check with SWCD to see if they are planning on submitting 1/2 of the \$2,000 dues.

Oeltjenbruns reported that dues to Minnesota River Basin (formerly 37-County) have not yet been paid for 2005. Motion by Oeltjenbruns, second by Holmen, unanimous vote to pay 2005 dues and to write a memo on the check so they are aware that the payment is for 2005 dues.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve liquor license and 3.2 license for the Mt. Lake Golf Club.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept Hazardous Materials Preparedness Grant in the amount of \$3,000 and to authorize Chairman to sign.

Motion by Holmen, second by Sorenson, unanimous vote to accept Emergency Management Performance Grant in the amount of \$6,580 and to authorize Chairman to sign.

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Motion by Holmen, second by Sorenson, unanimous vote to pay dues to RCRCA in the amount of \$7,068/year for two years and to authorize RCRCA representative (Commissioner Holmen) to sign the RCRCA Joint Powers Agreement at the next RCRCA meeting.

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Motion by Kuecker, second by Sorenson, unanimous vote to authorize Board Chairman and Auditor/Treasurer to sign Affidavit of Land Owner that was submitted by DNR for a piece of tax-forfeiture land that was withheld from tax-forfeiture sale last October.

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Update was given in regards to the Courthouse attic. Work has been started to begin sealing up cracks and holes on the outside of the courthouse to prevent bats from entering the building. It was also reported that Bargen would not want to begin any work of fixing up the attic until sometime this fall when the weather is a little cooler.

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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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Chuck Severson, Board Chairman

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Kelly Thongvivong, Bd. Adm. Assistant