

September 14, 2010
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, September 14, 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, Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Ron Gregg, Jean Fast, Gale Bondhus, Dick Wiens, Mike Wiens, Wes Kroeker and Bill Baerg.

Motion by Kuecker, second by Sorenson, unanimous vote to approve additions to the agenda. Motion by Sorenson, second by Holmen, unanimous vote to approve the minutes of the September 7, 2010 meeting as amended. Motion by Sorenson, second by Kuecker, unanimous vote to approve the minutes of the September 8, 2010 special meeting.

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Motion by Holmen, second by Kuecker, unanimous vote to recess as the County Board and to convene as the Ditch Authority to open bids for the JD #10 and JD #32 improvement projects.

In light of no bids being received for the JD #10 improvement project, there was a motion by Holmen, second by Sorenson, unanimous vote to re-bid the project the beginning of 2011.

In light of no bids being received for the JD #32 improvement project, there was a motion by Sorenson, second by Holmen, unanimous vote to re-bid the project the beginning of 2011.

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

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Update was given in regards to needed repairs at the courthouse both in the lower level as well as the roof. The board agreed to pursue obtaining a second quote for water issues in the lower level and to go ahead with the repair of the roof.

A preliminary building improvement worksheet that was put together by Johnson Controls for the Cottonwood County Courthouse was handed out for the board's review.

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County Engineer Ron Gregg met with the board to discuss a few items. Gregg requested that the board approve the purchase of a new Trimble S3 Robotic 5" Total Station with controller for use in the Highway and Solid Waste Departments. Gregg had state bid pricing from Frontier Precision, Inc. in the amounts of \$14,035.50 (used equipment) and \$16,942.00 (new equipment). Another bid was received from Seiler in the amount of \$19,530.00 (new equipment). Motion by Sorenson, second by Holmen, unanimous vote to

purchase new equipment in the amount of \$16,942.00 plus tax with trade-in from Frontier Precision, Inc. through the Landfill equipment budget. Motion by Sorenson, second by Kuecker, unanimous vote to transfer \$10,000 from the Highway Department equipment purchase line item (03-330-6630) to the landfill operating fund for use of the survey equipment.

Discussion was held regarding MPCA notice of violation that was received or the Cottonwood County Landfill. The five items mentioned were as follows: failure to cover portions of the demo cell every 30 days; failure to apply sufficient intermittent cover on areas west of the working face; storm water runoff over exposed waste; litter was present in the east storm water pond; leachate head on the liner exceeded 1 foot several times since the last inspection. There are no fines accompanying this notice of violation. The county has 30 days to address these violations.

Update was given regarding CSAH 1 tile issue. Gregg reported that a camera was placed in the tile yesterday and he believes that the inner lining of the tile is coming loose from the outer lining and is collapsing. He will continue to work on this issue.

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Jean Fast met with the board representing the Southern Minnesota Tourism Association. She gave an update and asked that the county consider appropriating \$300 for 2011. The board reported that the \$300 appropriation is currently in the budget for 2011 but the budget has not yet been approved.

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Commissioner Holmen gave an update regarding the regional dispatch meeting he attended yesterday with Sheriff Jason Purrington. Holmen presented a Financial Update that was compiled by G.J. Therkelsen and Associates, Inc. as well as a sample copy of the Interim Agreement for Formation of Southern Minnesota Regional Dispatch Center. Holmen also put together some draft information and figures on his own to present to the board for their review. Motion by Kuecker, second by Sorenson, unanimous vote to notify the four-county group (Nobles, Rock, Murray & Cottonwood) that Cottonwood County is no longer interested in forming a Joint Powers Board for a Regional Dispatch Center to be located in Nobles County.

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Motion by Sorenson, second by Holmen, unanimous vote to approve September warrants as follows:

County Revenue Fund	\$ 44,828.09
Long-Term Capital Outlay	\$ 169.41
County Building Fund	\$ 1,359.74
Ditch Fund	\$ 3,633.86
Taxes & Penalties Fund	\$ 1,101.05
Road & Bridge	\$ 47,648.60
Waste Abatement/SCORE	\$ 14,714.00

Landfill Enterprise

\$ 11,769.69

* \$125,224.44 *

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County Assessor Gale Bondhus met with the board to discuss a few items. Bondhus requested usage of the county credit card for registration (\$240) at the National Uniform Standards of Professional Appraisal Practice on October 19th & 20th in St. Cloud as well as a 2-night stay (\$75.00/night + tax) at the Best Western – Kelly Inn for Lisa Will. Motion by Sorenson, second by Holmen, unanimous vote to allow use of county credit card for this purpose.

Bondhus requested usage of the county credit card for registration (\$150/person) at the 2010 Property Valuation Course on October 27th & 28th in Slayton for Sue Amundson and Jean Gode. Motion by Holmen, second by Kuecker, unanimous vote to allow use of the county credit card for this purpose.

Discussion was held regarding the interpretation of the county policy in regards to mileage reimbursement. There are discrepancies as to how each department is handling their mileage reimbursement claims. Auditor/Treasurer Jan Johnson was asked to do some follow-up with the State Auditors in regards to this matter.

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After doing some further research in regards to the furnace at the N. 71 County Office Building, it was determined that a new furnace was not necessary after all but there did need to be some repairs to the existing system such as the installation of a new gas valve, pilot module and regulator. Motion by Kuecker, second by Sorenson, unanimous vote to reject all bids for a new furnace at the N. 71 County Office Building as the existing furnace is repairable.

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At 11:15 a.m., Chairman White excused himself from the board meeting so that discussion could be held regarding possible action following a Loudermill Hearing that was held on September 8, 2010 at 1:00 p.m. at the request of Greg Johnson. Vice-Chairman Kuecker presided over the meeting at this time. Kuecker reported to the board that he met with Greg Johnson and Dan Birkholz at the conclusion of the Loudermill Hearing on September 8th to inform them that the board had decided to deny the grievance filed by Greg Johnson after he was placed on unpaid suspension. Kuecker also mentioned to them that no response by the board would have been the same as denying the grievance.

After much discussion, there was a motion by Sorenson, second by Oeltjenbruns to move that we terminate Greg Johnson with cause from his position of employment at the Environmental Office of Cottonwood County. Such causes shall be written up by County Attorney Doug Storey, signed by Ron Kuecker, Board Vice-Chair and placed as part of these minutes. Payouts appropriate with county policy for termination with cause shall be made. This action will be effective upon passage of this motion. Roll call vote was as follows: Aye – Holmen, Sorenson, Oeltjenbruns and Kuecker. Chairman White was not present at the meeting at this time.

County Attorney Doug Storey read a letter written to him from Dan Birkholz in regards to the employment/suspension/grievance of Greg Johnson. Birkholz is requesting that his client, Greg Johnson, waive his right to appeal pursuant to Steps II, III and IV of the personnel policy. This would eliminate the need for three steps of the Grievance Procedure. After further discussion, there was a motion by Holmen, second by Sorenson, unanimous vote to instruct Storey to respond to the grievance request regarding Greg Johnson's suspension and to by-pass Steps II, III and IV of the personnel policy.

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Chairman White returned to preside over the remainder of the meeting at 12:00 p.m.

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Auditor/Treasurer Jan Johnson did not have any balance transfers to report at this time.

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Motion by Kuecker, second by Oeltjenbruns, unanimous vote to set the 2011 preliminary levy at \$6,886,300, which is an increase of 3.564%.

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Motion by Sorenson, second by Holmen, unanimous vote to allow Greg Walsh, Information Services Director, to renew remote access feature for Cottonwood County's server for \$660 and to do so by using the county credit card.

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Discussion was held regarding the 9th Street Office Building that is currently occupied by Community Health Services. It seems that this building may need some updates to the heating/cooling units. Quotes will be obtained for the replacement of the front unit.

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Update was given in regards to Cottonwood County reserves and the amounts that some of the departments currently have.

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Discussion was held regarding a ditch concern that Chairman White received from Carl Bjorklund. White will contact the County Engineer in regards to this matter.

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It was reported that Chairman White authorized overtime for Marlene Smith to work at Talcot Park this past weekend.

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Motion by Holmen, second by Oeltjenbruns, unanimous vote to approve Mike Hanson's attendance at the Minnesota Planning & Zoning Conference in Willmar on October 6-8. The registration is \$150.00 plus the cost of the motel.

No action was taken on a request by Mike Hanson and Marlene Smith to attend the Minnesota Association of County Feedlot Officers Conference to be

held October 19-21 in Mankato. This will be discussed further at the next meeting.

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Chairman White reported that the Blandin Foundation is looking for projects at this time.

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Motion by Holmen, second by Sorenson, unanimous vote to approve voucher for mileage reimbursement as resubmitted by Gale Bondhus.

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It was reported that Cottonwood County's bond rating was recently upgraded from A1 to Aa3.

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Update was given regarding a conversation Auditor/Treasurer Jan Johnson recently had with the Murray County Auditor/Treasurer in regards to buffer strip enforcement.

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There being no further business, the meeting adjourned at 12:37 p.m.

Jan Johnson, Auditor/Treasurer

Tom White, Board Chairman

Kelly Thongvong, Bd. Adm. Assistant