

December 17, 2013
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, December 17, 2013 at 1:00 p.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman John Oeltjenbruns. Present for all or portions of the meeting were: Commissioners John Oeltjenbruns, Jim Schmidt, Kevin Stevens, Tom White, Norm Holmen; County Coordinator Kelly Thongvivong; County Attorney Nick Anderson; Auditor/Treasurer Jan Johnson; Kathy Marsh, Jen Wolf, Jerry Conway, JinYeene Neumann, Kyle Pillatzki, John Lafferty, Gordy Olson, Ryan Doorenbos, Don Pankratz, Pastor David Savage, Gale Bondhus, Dave Bucklin, Kay Clark, Rahn Larson Alan Coners, Charlie Grant, Bruce Grant, Linda Grant, Leslie Makovsky, Kurt Odden, Brent Imker, John Tibodeau and Craig Myers.

Motion by White, second by Schmidt, unanimous vote to approve additions to the agenda. Motion by Holmen, second by Stevens, unanimous vote to approve the minutes of the December 3, 2013 meeting.

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County Engineer JinYeene Neumann met with the board to discuss several items. Neumann asked for further discussion regarding the salaries of three of the supervisors at the Highway Department that she would like to make exempt from overtime beginning January 1, 2014. No action was taken at this time but will be discussed at the next board meeting.

Much discussion was held regarding the landfill supervisor position that was recently advertised. Because there are still some questions regarding Kyle Pillatzki's role with the landfill after this position is filled, the board decided to hold off on conducting interviews until further clarification can be made regarding the position that is desired. The Board Chairman, Neumann, Kyle Pillatzki and Kelly Thongvivong will meet after the new year to discuss this position further. The applicants that applied for the position will be notified regarding the situation.

Neumann presented her recommendations for revisions to the County State Aid Highway System in Cottonwood County. Motion by White, second by Stevens, unanimous roll call vote to adopt resolution as follows:

Resolution 13-12-17A
Resolution Establishing County State Aid Highway

WHEREAS, it appears to the County of Cottonwood that the road hereinafter described should be designated a County State Aid Highway under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Cottonwood that the road described as follows, to-wit:

That portion of County Road 50 from the intersection of Minnesota Trunk Highway 71 at the Northwest corner of Section 13, T-106N, R-36W; thence east 1.66 miles along the centerline of County Road 50 to the intersection of County State Aid Highway 3 at the Northwest corner of the Northeast ¼ of Section 18, T-106N, R-35W be, and hereby is established, located and designated a County State Aid Highway of

said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.
(1.66 miles)

BE IT FURTHER RESOLVED, that the County Auditor/Treasurer is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and upon his approval of the designation of said road or portion thereof, that the same be constructed, improved and maintained as a County State Aid Highway of the County of Cottonwood to be numbered and known as County State Aid Highway 50.

Adopted this 17th day of December 2013.

S/John Oeltjenbruns, Board Chair

S/Jan Johnson, Auditor/Treasurer

Motion by Stevens, second by White, unanimous roll call vote to adopt resolution as follows:

Resolution 13-12-17B
Resolution Establishing County State Aid Highway

WHEREAS, it appears to the County of Cottonwood that the road hereinafter described should be designated a County State Aid Highway under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Cottonwood that the road described as follows, to-wit:

That portion of County Road 52 from the intersection of County State Aid Highway 3 at the Northwest corner of Section 17, T-106N, R-36W; thence north 4.11 miles along the centerline of County Road 52 to the intersection of Minnesota Trunk Highway 30 at the Northwest corner of Section 29, T-107N, R-36W and that portion of County Road 52 from the intersection of Municipal State Aid Highway 32 at the Northeast corner of the Southwest $\frac{1}{4}$ of Section 20, T-107N, R-36W; thence north 0.63 miles to the intersection of County Road 53 at the Northeast corner of the Northwest $\frac{1}{4}$ of Section 20, T-107N, R-36W be, and hereby is established, located and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota. (4.74 miles)

BE IT FURTHER RESOLVED, that the County Auditor/Treasurer is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration, and upon his approval of the designation of said road or portion thereof, that the same be constructed, improved and maintained as a County State Aid Highway of the County of Cottonwood to be numbered and known as County State Aid Highway 52.

Adopted this 17th day of December 2013.

S/John Oeltjenbruns, Board Chair

S/Jan Johnson, Auditor/Treasurer

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

Resolution 13-12-17C
Resolution Revoking County State Aid Highways

WHEREAS, it appears to the County of Cottonwood that the road hereinafter described should not be designated a County State Aid Highway under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Cottonwood that the road described as follows, to-wit:

That portion of County State Aid Highway 14 from the intersection of County State Aid Highway 15 at the Northwest corner of Section 14, T-105N, R-37W; thence north 1 mile, thence east 4.40 miles along the centerline of County State Aid Highway 14 to the intersection of County State Aid Highway 13 at the Northeast corner of Southeast ¼ of the Northeast ¼ of Section 28, T-105N, R-36W be, and hereby is revoked as a County Sate Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota. (-5.40 miles)

BE IT FURTHER RESOLVED, that the County Auditor/Treasurer is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration.

Adopted this 17th day of December 2013.

S/John Oeltjenbruns, Board Chair

S/Jan Johnson, Auditor/Treasurer

Neumann will submit Functional Classification Change Request Form to MnDOT for their consideration.

Neumann presented further information regarding final payments on three construction projects as follows: 17-603-18 – total project cost \$380,429.61, final payment \$22,593.86; 17-629-03 – total project cost \$220,360.81, final payment \$11,018.04; 17-599-97 – total project cost \$86,833.88, final payment \$4,341.69.

Neumann presented bids for a 2014 International truck as follows: Fox Bros of Sanborn Inc. - \$97,900; State of Minnesota - \$99,536.21; Boyer International Trucks - \$99,536.21. Motion by Holmen, second by White, unanimous vote to accept low bid in the amount of \$97,900 from Fox Bros of Sanborn Inc. for the purchase of a new 2014 International truck. This will be a 2014 expense.

Motion by Schmidt, second by Holmen, unanimous vote to allow Neumann to attend the 2014 NACE Conference that will be held in Baton Rouge, LA April 13-17.

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Landfill Supervisor Kyle Pillatzki met with the board to discuss a few items. Pillatzki reported that each year \$12,500 is taken out of the landfill budget to fund the county cleanup fund. Pillatzki requested that the board consider taking \$12,500 from the SCORE fund only for the next four years and not the landfill fund. This would help to pay down the balance due on the purchase of the compactor. Motion by Holmen, second by Schmidt to take \$12,500 out of the SCORE funds and not out of the landfill funds for 2013-2016. Voting as follows: Aye - Holmen, Schmidt, Stevens. Nay - White. Chairman Oeltjenbruns did not vote. Motion carried.

Pillatzki will ask that the board set the surcharge at the landfill for 2014 at the next board meeting.

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Motion by Holmen, second by White, unanimous vote to close the meeting at 2:12 p.m. pursuant to attorney client actual threatened litigation (13D.05, subd 3(b). Individuals present for the closed session were: Commissioners Oeltjenbruns, Schmidt, White, Holmen, Stevens; County Coordinator Kelly Thongvivong; County Attorney Nick Anderson; County Auditor/Treasurer Jan Johnson; MCIT Staff Attorney Jen Wolf; MCIT

Claims Representative Jerry Conway; Kathy Marsh, Kay Clark, Dave Bucklin and Alan Coners.

Motion by Stevens, second by Schmidt, unanimous vote to open the meeting at 2:58 p.m.

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John Lafferty, Executive Director Windom Chamber of Commerce, met with the board to introduce himself. Brief discussion was held regarding the possibility of the Chamber of Commerce offering passport services as well as the possibility of changing the chimes that play at the Courthouse. Lafferty will work with Glenn Johnson to see if the requested changes to the chimes can be made.

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County Attorney Nick Anderson presented information regarding the Legal Services Contract for a court appointed attorney. Anderson informed the board that some counties are changing to a monthly rate instead of an hourly rate for these services and he wanted to get the board's input as to their preference before proceeding. The board agreed that they would like to ask for quotes for an hourly rate. The quotes will be presented at the next board meeting.

Gordy Olson, Interim Planning & Zoning/Parks Administrator, met with the board to discuss a few items. Olson reported that the existing camping fees have been in place for the past two years. Electrical service was upgraded this past year and has greatly reduced the electrical issues at the park. Olson presented his recommendations for 2014 camping fees at Talcot Park as follows: Daily fees - \$15/\$23, Lakeshore Seasonal - \$1,200, Non-Lakeshore Seasonal - \$1,100. He also recommended to move sites 46, 47 and 48 to seasonal sites. Motion by Holmen, second by Schmidt, unanimous vote to accept Olson's recommendations for 2014 camping fees as presented and to move three sites to seasonal sites.

Olson presented a conditional use permit application for Bruce Grant to construct a 122' x 164', 2400 head finishing barn (720 animal units) in the west 1/2 of the northwest 1/4 of section 28 of Storden Township. Motion by White, second by Holmen, unanimous vote (Commissioner Schmidt abstained) to approve the conditional use permit application for Bruce Grant with seven conditions presented and #7 being amended.

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Motion by Holmen, second by Schmidt, unanimous vote to approve 2014-2015 County Feedlot Program Delegation Agreement and Work Plan effective January 1, 2014 to December 31, 2015.

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Motion by White, second by Stevens, unanimous vote to approve Plum Creek Library System Outreach Services Contract for 2014 at a cost of \$1,000/month.

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Motion by Schmidt, second by White, unanimous vote to approve Commissioner Holmen's attendance and per diem for the Minnesota River Board meeting he attended on Monday.

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Chairman Oeltjenbruns gave an update regarding the Minnesota River Board. He reported that the Minnesota River Board will be disbanding the Joint Powers Board sometime in 2014. They have been in existence for almost 20 years.

Oeltjenbruns also gave a brief update regarding the last Department Head Meeting.

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Ryan Doorenbos, Windom Area Fisheries Supervisor for the DNR, was present to give an update regarding the Asian Carp Barrier Program as a result of invasive species that are getting closer to the area.

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Brief discussion was held in regards to a letter that Commissioner White has started working on in regards to septic systems that he would like the board to consider sending out. This letter will be reviewed at the next board meeting.

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Brief discussion was held regarding the Sentence to Service Program and the possibility of having someone designated from the county for the STS crew to have to report to in regards to work that may be needed by the county. No action was taken.

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Motion by White, second by Schmidt, unanimous vote to allow an additional allocation from Cottonwood County of up to but not to exceed \$25,000 for Cottonwood-Jackson CHS to pay 2013 payables.

Motion by Holmen, second by Stevens, unanimous vote to transfer the physical property in the Windom Office of Cottonwood-Jackson CHS to Des Moines Valley Health and Human Services (DVHHS).

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Don Pankratz and Pastor David Savage met with the board to request a waiver of 2014 taxes for the Eventide property in Mt. Lake, which the church recently acquired and is currently in demolition mode. The board suggested that the church would have to apply for a tax abatement and they were unsure if the church would meet the qualifications established. County Attorney Nick Anderson will do some further review of the process as to the criteria for requesting an abatement.

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County Assessor Gale Bondhus met with the board to report that Karla Ambrose (Appraiser) has successfully completed her 6-month probationary period and she would like the board to consider allowing an increase to her wage. Motion by Schmidt, second by White, unanimous vote to allow Karla Ambrose to move off of probation and to set her new hourly rate at \$18.08/hour effective December 17, 2013. This wage will be between Step 2 & 3 on the current matrix.

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Discussion was held regarding the possibility of sharing a Planning & Zoning Administrator with Jackson County. It was reported that Jackson County is interested in moving forward with this possibility. After further discussion, there was a motion by Holmen, second by Schmidt to develop a draft job description for a Planning & Zoning/Parks Administrator to review in two weeks for possible advertising for a position

exclusively for Cottonwood County. Voting as follows: Aye - Holmen, Schmidt and Oeltjenbruns. Nay - White and Stevens. Motion carried. The decision to possibly advertise does not mean that Cottonwood County is still not interested in the possibility of a shared Planning & Zoning position with Jackson County.

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Commissioner White presented further information that was received from Donna Albright for her recent request to loan \$15,000 from the Seed Capital Fund for her recent purchase of Parkview in Westbrook. Albright provided an outline of what she intends to use the funds for. Motion by White, second by Holmen, unanimous vote (Commissioner Schmidt abstained) to borrow Donna Albright \$15,000 from the Seed Capital Fund at a rate of 1.25% for 5 years with a payment due of \$150/month with a balloon payment due at the time of the 60th payment.

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The board held the 2014 budget meeting beginning at 5:45 p.m. It was reported that the increase to the 2014 tax levy was 3.039% from 2013, which is an increase of \$241,583. Motion by Holmen, second by White, unanimous vote to set the 2014 Revenues and Expenditures by Fund as presented. The total revenues for 2014 are \$14,912,964 and total expenditures for 2014 are \$15,284,656.

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It was noted that the 2014 IRS mileage rate has been set at \$.56/mile, which will go into effect on January 1, 2014.

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Motion by White, second by Schmidt, unanimous vote to allow two commissioners to attend the Highway 60 meeting, which will be held on December 19th and to allow for a per diem.

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Motion by Holmen, second by Schmidt, unanimous vote to allow Kim Hall to use the county credit card for a motel stay at the Embassy Suites Minneapolis February 10-12 (3 nights) while attending the Governor's Homeland Security Conference.

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Kelly Thongvong, County Coordinator, asked for clarification regarding which department is responsible for the addition and deletion of property, vehicles, etc. from MCIT. The Auditor/Treasurer's Office will continue to be responsible for the addition and deletion of property, vehicles, etc. from MCIT and these duties will not be completed through the Coordinator/Human Resources Office.

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There being no further business, the meeting was adjourned at 6:30 p.m.

Jan Johnson, Auditor/Treasurer

John Oeltjenbruns, Board Chairman

Kelly Thongvong, County Coordinator