

May 24, 2011
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 24, 2011 at 1:00 p.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, Norm Holmen, John Oeltjenbruns, Jim Schmidt, Tom White; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Don Reffer, Wayne Wormstadt, Shannon LaCanne, Bonnie Frederickson, Ron Gregg and Andy Geiger.

Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve additions to the agenda. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve the minutes of the May 10, 2011 meeting as amended.

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Don Reffer, B & W Control Specialists, met with the board to discuss his findings regarding recent ditch inspections. Reffer also presented quotes for tree and brush control on the slopes of the dam at the Schoper Bush Reservoir and for tree and brush control for open drainage ditches in Cottonwood County.

Motion by White, second by Holmen, unanimous vote to recess as the County Board and to convene as the Ditch Authority.

Motion by Holmen, second by White, unanimous vote to accept quote for an amount not to exceed \$47,500 from B & W Control Specialists for 2011 ditch maintenance in the listed drainage ditches in Cottonwood County as follows:

Con. J.D. #2	\$7500.00 (treat all sprayable trees – big trees no spray)
Co. D. #37	\$1000.00
J.D. #1 W & C	\$3500.00 (trees in pasture section 1 N.S. ?)
Co. D. #21	\$2000.00
Co. D. #39	\$2500.00
J.D. #10	\$2000.00 (will check for spraying after clean-out is complete)
Co. D. #15	\$2500.00
Co. D. #43	\$3500.00 (ditchbank only by planted trees and hedges)
J.D. #8	\$2500.00
J.D. #9	\$4500.00 – Foliar app.
J.D. #11	(no need)
Co. D. #38	\$3500.00 – Foliar on east end
Co. D. #42	\$2500.00
J.D. #3 M & C	\$4500.00 – Foliar app.
Co. D. #2	\$2500.00 – Foliar on west end
J.D. #28	\$ 750.00
J.D. #6	\$ 750.00
J.D. #25	\$1000.00
Co. D. #30	\$2000.00

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

Motion by Oeltjenbruns, second by Holmen, unanimous vote to accept quote for an amount not to exceed \$2,000 from B & W Control Specialists for tree and brush control on the slopes of the dam at the Schoper Bush Reservoir in Cottonwood County.

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Chairman Kuecker expressed his thoughts in regards to the recent Hwy. Dept. Road Tour. Kuecker suggested that in the future this meeting should be conducted just as any other regular board meeting is conducted.

Kuecker shared with the board a thank you note sent to Cottonwood County from Chippewa County Emergency Management in regards to Kim Hall's willingness to assist Chippewa County with the availability of our light tower during their recent flooding event.

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Wayne Wormstadt, Shannon LaCanne and Bonnie Frederickson met with the board representing the Safe Routes to School Program to ask if the county would consider sponsoring the Safe Routes to School grant application for a sidewalk on school property to make it safer for students to walk to school. The City of Windom and the Windom School District cannot submit the application on their own because of the population guidelines. This grant requires no matching funds. Motion by White, second by Schmidt, unanimous vote to allow Cottonwood County to be the sponsor of the Safe Routes to School grant with Ron Gregg being appointed as the county contact person.

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County Engineer Ron Gregg and Planning & Zoning Administrator Andy Geiger met with the board to discuss a possible extension to Knife River's conditional use permit in the Red Rock Quarry so that they are able to set up a bituminous plant for the construction of Projects SAP 17-627-02 and SP 17-613-38, which is scheduled to begin possibly next week. Knife River was approved for a conditional use permit on July 15, 2008, which is generally valid for 5 years but because there was a condition placed on the permit for a 6-month time period, the permit is no longer valid. After further discussion, there was a motion by White, second by Oeltjenbruns, unanimous vote to amend the original conditional use permit dated July 15, 2008 to remove the 6-month restriction. This will allow the conditional use permit to be valid until July 15, 2013.

Gregg asked that the board allow him to hire four individuals for seasonal help as follows: Josh Merrick (Recycling), Kyle Haglund (Recycling), Mike Johnson (Hwy. Dept.) and Mason Anderson (Hwy. Dept.). Motion by Oeltjenbruns, second by Holmen, unanimous vote to allow Gregg to hire four individuals (Josh Merrick, Kyle Haglund, Mike Johnson & Mason Anderson) for seasonal help pending successful completion of all hiring requirements.

Gregg presented four quotes for the partial closure of Cell 3, 4 and 5 as follows: Schmidt Construction, Inc. - \$237,495.00, Veit & Company Inc. - \$391,052.50, Minion Excavating Inc. - \$246,046.70, Mathiowetz Construction

Company - \$421,452.50. Motion by White, second by Holmen, unanimous vote to accept low bid in the amount of \$237,495 from Schmidt Construction, Inc.

Chairman Kuecker signed the contract documents for SAP 17-599-93 (Amboy Township bridge replacement) as approved at a previous meeting.

Gregg presented a copy of the request for proposal that was used for single stream recycling from February 2009. The board members were asked to contact Gregg with their input/ideas in regards to the request for proposal so that it can be discussed again at a future board meeting.

Much discussion was held regarding the possibility of the county bonding and/or a special assessment for road maintenance and/or re-construction in the future. This might be a way to get caught up on road construction as well as normal maintenance of the roads. No action was taken at this time.

Gregg reported that Household Hazardous Waste Collections would be held on June 8th & June 9th at various locations within the county.

Gregg reported that a public meeting would be held on June 14th from 5:00-8:00pm at the Mt. Lake City Hall in regards to the reconstruction of Hwy. 60 from Windom to St. James.

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Auditor/Treasurer Jan Johnson presented quotes from Midway Farm Equipment, Tri-County Implement, GDF Enterprises, Inc. and Slayton Equipment Company (on file in the Commissioner's Room) for the purchase of a new mower/snowblower for the Courthouse. Motion by White, second by Oeltjenbruns, unanimous vote to accept quote in the amount of \$13,625 + tax from Tri-County Implement of St. James as this quote best met the specifications of what kind of mower/snowblower is desired.

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Motion by Holmen, second by White to adopt resolution in support of Cottonwood County acting as the fiscal agent on behalf of the Big Bend Snowriders Club. Roll call vote as follows: Aye – Holmen, White, Oeltjenbruns and Kuecker. Commissioner Schmidt was absent. Resolution adopted is as follows:

**Resolution 11-05-24
Big Bend Snowriders Club**

WHEREAS, Cottonwood County has established the Cottonwood County Snowmobile Trails System; and

WHEREAS, the County, working with the Big Bend Snowriders Club, desires to see the continuation of the trails system; and

WHEREAS, Cottonwood County will act as legal sponsor for an application for the DNR Snowmobile Trails Assistance Program and may enter into agreement with the State of Minnesota on behalf of the Big Bend Snowriders Club; and

WHEREAS, Cottonwood County will comply with all applicable laws and regulations as stated in the agreement; and

WHEREAS, Jan Johnson, County Auditor/Treasurer, 900 Third Avenue, Windom, MN 56101 will act as the fiscal agent on behalf of Cottonwood County.

NOW THEREFORE, BE IT RESOLVED that the Cottonwood County Board of Commissioners hereby supports the acceptance of this grant on behalf of the Big Bend Snowriders Club.

S/Jan Johnson, Auditor/Treasurer
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S/Ron Kuecker, Board Chairman
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Motion by Holmen, second by White to adopt resolution approving the issuance of General Obligation Crossover Refunding Bonds, Series 2011A (Red Rock Rural Water System). Roll call vote as follows: Aye – Holmen, White, Oeltjenbruns and Kuecker. Commissioner Schmidt was absent. Resolution adopted is as follows:

**RESOLUTION 11-05-24A APPROVING THE ISSUANCE OF
GENERAL OBLIGATION CROSSOVER REFUNDING BONDS, SERIES 2011A
(RED ROCK RURAL WATER SYSTEM)**

BE IT RESOLVED by the County Board of Cottonwood County, State of Minnesota (herein, the "County"), as follows:

1. The County Board hereby finds and declares that it is necessary and expedient for the County to sell and issue its fully registered general obligation refunding bonds in the total aggregate principal amount of not to exceed \$1,500,000 (herein, the "Bonds"). The proceeds of the Bonds will be used, together with any additional funds of the County which might be required for (i) a crossover refunding of all or a portion of the January 1, 2013 through 2027 maturities, aggregating up to \$1,415,000 in principal amount, of the County's General Obligation Refunding Bonds, Series 2003 (Red Rock Rural Water System), dated July 15, 2003 as date of original issue, and (ii) to pay the costs associated with issuing the Series 2010A Bonds.
2. The County Board desires to proceed with the sale of the Bonds by direct negotiation with Northland Securities, Inc. ("NSI").
3. The County Board Chair, the County Auditor-Treasurer and the Manager of the Red Rock Rural Water System are hereby authorized to approve the sale of the Bonds in an aggregate principal amount of not to exceed \$1,500,000 and to execute a bond purchase agreement for the purchase of the Bonds with NSI, provided the total net savings is at least \$90,000 and the savings meet the 3% savings test as set forth in Minnesota Statutes 475.67, subdivision 12.
4. Upon approval of the sale of the Bonds by the County Board Chair, the County Auditor-Treasurer and the Manager of the Red Rock Rural Water System, the County Board will take action at its next regularly scheduled meeting thereafter to adopt the necessary approving resolutions as prepared by the County's bond counsel.
5. NSI is authorized to prepare an Official Statement related to the sale of the Bonds.
6. If the County Board Chair, the County Auditor-Treasurer and the Manager of the Red Rock Rural Water System have not approved the sale of the bonds to NSI and executed the related bond purchase agreement by December 31, 2011, this resolution shall expire.

S/Ron Kuecker, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Motion by Oeltjenbruns, second by Holmen, unanimous vote to approve DNR water usage fee for parks in the amount of \$140.00. This fee will need to be paid annually until the well is sealed.

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Commissioner Oeltjenbruns reported that the Energy Board would be having a bus tour of the Emmetsburg, IA alcohol plant on June 6th if anyone is interested in attending.

Oeltjenbruns reported that RC & D may be nearing the end of their program but will know more after attending the RC & D meeting tomorrow.

Oeltjenbruns gave an update regarding a recent Mn River Board meeting he attended. Additional funding for this organization is very limited.

Conservation Marketplace of Minnesota will be held on June 27, 2011 from 8am – 5pm in Mankato.

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Motion by Holmen, second by Oeltjenbruns, unanimous vote to allow the Assessor's Office to donate an old office chair to Mt. Lake Township as requested.

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Commissioner Holmen gave an update regarding RCRC and Area II. Holmen reported that the two organizations are exploring options to begin sharing staff and are hoping to eventually merge the two groups together over the next few years. It seems that the funding opportunities may be better if the two organizations are combined.

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Chairman Kuecker gave an update regarding an exit interview that was recently conducted with Gary Wood. Kuecker asked County Attorney Nick Anderson to give him some guidance in regards to how to proceed with sharing the information discussed at the exit interview. Anderson suggested that Policy 337 be followed. The information and notes related to the exit interview of Gary Wood will be placed in the confidential portion of his personnel file.

Update was given in regards to the roof repair at the N. 71 County Office Building. Three lumberyards within Cottonwood County have been provided with the specifications for the project.

Brief update was given in regards to the camper that was previously used by the Parks Department. Commissioner Schmidt is going to pursue obtaining the title for this camper. Kuecker gave his thoughts in regards to possibly keeping the camper in case the gravel mine near the Talcot Lake area that Cottonwood & Jackson Counties are pursuing transpires.

Kuecker reported that he recently contacted Lang Jensen in regards to the weeds on the lawn at the N. 71 County Office Building. The board agreed that the lawn should be sprayed for weeds if Lang is willing to take care of doing so.

Kuecker gave an update regarding the recent hire of Renee Harnack as a Financial Assistant for the Soil & Water Conservation District. Kuecker also asked the board for their input in regards to the SWCD agreement that still needs to be finalized as there will be a SWCD meeting tomorrow.

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There being no further business, the meeting adjourned at 4:17 p.m.

Jan Johnson, Auditor/Treasurer

Ron Kuecker, Board Chairman

Kelly Thongvivong, Executive Assistant