

May 8, 2007  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 8, 2007 at 9:00 a.m. at the Cottonwood County Law Enforcement Center in Windom, MN. Presiding over the meeting was Chairman Norm Holmen. Present for all or portions of the meeting were: Commissioners Norm Holmen, John Oeltjenbruns, Gary Sorenson, Tom White, Ron Kuecker; Administrative Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Doug Storey; Mike Hanson, Ron Gregg, Craig Myers, Cindy Harrington and Pam Ella. Motion by Sorenson, second by Kuecker, unanimous vote to approve additions to the agenda. Motion by Oeltjenbruns, second by White, unanimous vote to approve the minutes of the May 1, 2007 meeting.

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Environmental Officer Mike Hanson met with the board to discuss a few different items. Hanson presented a recommendation of the Planning Commission for approval of the construction of 9 proposed buildings in Section 25, Mountain Lake Township for the Elmendorf Hutterian Brethren Colony. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to approve conditional use permit granted to the Elmendorf Hutterian Brethren Colony based on conditions mentioned and on a recommendation of the Planning Commission.

Hanson reported that on Tuesday, June 5, 2007 from 8am – 5pm Cottonwood County is working in conjunction with Brown and Nicollet Counties to provide water-testing services to county residents. To enhance the service to Cottonwood County residents, Hanson would like to cover the cost of the Bacteria Test (Nitrate Test is free) at a cost of \$10.00 per sample. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to allow the county to cover the cost of well water or drinking water test up to \$1,200 out of the Water Plan budget.

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Motion by Sorenson, second by Kuecker, unanimous vote to repeal previous motion made on May 1<sup>st</sup> to set retainage of 10% for the remodeling project in the Commissioner's Room. The retainage will be 5% as stated in the contract.

Motion by Kuecker, second by White, unanimous vote to approve 2 change orders (#1 & #2) as submitted by I & S Engineers & Architects.

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Chairman Holmen updated the board in regards to a ditch issue with Lyle Muir. It will need to be determined if this tile is county tile or private tile.

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County Engineer Ron Gregg met with the board to discuss a few different items. Gregg presented quotes for a new server and PC for the Highway Department. Server quotes were as follows: New Star Sales & Service - \$2,005.63; En Pointe - \$2,195.12 (does not include server and domain setup);

Davis Typewriter - \$2,509.71. PC quotes were as follows: New Star Sales & Service - \$1,696.99; En Pointe - \$1,418.42 and Davis Typewriter - \$1,574.90. Motion by Sorenson, second by Kuecker, unanimous vote to accept New Star quote in the amount of \$2,005.63 for the server and the En Pointe quote for \$1,418.42 for the PC.

Motion by Sorenson, second by Kuecker, unanimous vote to allow for advertisement of Germantown Township retention project (SAP 17-599-91).

Tipping fees at the Cottonwood County Landfill for Murray County garbage was discussed. Motion by Sorenson, second by White, unanimous vote to set tipping fee for all municipal solid waste (MSW) for \$43.33/ton regardless of point of origin. This does not include surcharge or tipping tax.

Gregg discussed the current condition of some of the equipment at the Highway Department. He wanted the board to be aware that he plans to reevaluate the current fleet and to possibly look at a more active replacement schedule for the future.

Brief discussion was held in regards to the recent dust control mailing as well as a concern of a landowner about a tile issue. Commissioner Sorenson will get together with Gregg sometime to go and look at the tile issue.

Discussion was held in regards to a recent Supreme Court action regarding the control of Solid Waste. The board suggested that Gregg send out a letter to all of the garbage haulers letting them be aware of the recent court decision. It was also suggested that Gregg look at the hauler's license to see if wording exists that directs haulers to bring waste to our landfill.

Brief discussion was held in regards to the way the ditch spraying procedure is handled each year. Gregg will take this into consideration when putting ads in the paper next year in regards to the spraying.

Chairman Holmen also had a question in regards to a mailbox post that was damaged by a snowplow.

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Family Service Agency Director Craig Myers met with the board to present a resignation from Liz Walklin as Financial Worker. Motion by Sorenson, second by White, unanimous vote to accept letter of resignation effective June 1<sup>st</sup> with appropriate payout of benefits.

Motion by Oeltjenbruns, second by Kuecker, unanimous vote to post Financial Worker position internally for 7 days and to allow for advertisement of position if necessary.

Myers shared a letter with the board in regards to an issue addressing a burial situation with one of the hutterite colonies in Mt. Lake.

Clarification in regards to the Family Medical Leave Act was made. There is to be no accumulation of vacation or sick leave while an employee is on an unpaid leave. The county policy will be enforced and any individual currently on FMLA will not accumulate vacation or sick leave for the unpaid portion of their leave.

Auditor/Treasurer Johnson reported that he received another internal transfer request before the close of business on May 1<sup>st</sup> and both applicants were interviewed on Friday, May 4<sup>th</sup>. Johnson stated that he found strengths in both candidates but his recommendation was to accept the request of Brenda Anderson for a lateral transfer. Motion by Oeltjenbruns, second by White, unanimous vote to allow for a lateral transfer of Brenda Anderson from the Veteran's Service Office to the Auditor/Treasurer's Office at the same rate of pay effective May 9, 2007.

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Chairman Holmen updated the board in regards to a ditch in Lakeside Township that has recently been flooded. Holmen informed the board that he has visited with NRCS in regards to the situation.

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Discussion was held in regards to the renewal of a lease agreement between Cottonwood County and the State of Minnesota that needs to be approved for the rental of the Driver's Exam Room in the basement of the Law Enforcement Center. Because more information was requested, this will be discussed again at the next board meeting.

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Brief discussion was held regarding Policy Number 313 "Disciplinary Action". It was noted that Robyn Sykes from Minnesota Counties Insurance Trust is in the process of reviewing our current policy and will let us know her recommendations by the end of the week. Chairman Holmen also presented a suggestion of a paragraph we might want to consider adding to our current policy. No action was taken at this time.

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Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve May warrants as follows:

County Revenue Fund	\$101,996.43
Long Term Capital Outlay	\$ 6,673.72
County Building Fund	\$ 3,803.86
Ditch Fund	\$ 212.50
Ditch Sinking 3 (JD 2)	\$ 215.63
Taxes & Penalties Fund	\$ 633.41
Road & Bridge Fund	\$ 57,898.58
Waste Abatement/SCORE	\$ 4,687.25
Landfill Enterprise Fund	<u>\$ 7,044.72</u>
TOTAL	\$183,166.10

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A monthly trial balance was handed out to the board members for their review. It was noted that the insurance fund balance as of April 30<sup>th</sup> was \$-150,641.15.

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The board reviewed three quotes (on file in the Commissioner's Room) for window treatments for the Commissioners Room. After much discussion, there was a motion by Sorenson, second by Oeltjenbruns, unanimous vote to authorize Kelly Thongvivong and Commissioner Kuecker to work together to determine which type of blind would be best for the room and to order blinds with an amount not to exceed \$3,414.

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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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Norm Holmen, Board Chairman

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Kelly Thongvivong, Bd. Adm. Assistant