

September 28, 2010
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, September 28, 2010 at 1:00 p.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; Jason Purrington, Kim Hall, Ron Gregg and Jerry Hayes.

Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve additions to the agenda. Motion by Kuecker, second by Holmen, unanimous vote to approve the minutes of the September 14, 2010 meeting.

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Auditor/Treasurer Jan Johnson had several items to discuss. Motion by Oeltjenbruns, second by Holmen, unanimous vote to authorize Chairman White to sign State Audit Management letter.

Motion by Kuecker, second by Sorenson, unanimous roll call vote to adopt resolution (on file in Commissioner's Office) for Multi-Bank Securities, Inc. This resolution authorizes and empowers Jan Johnson and Susan Hopp on behalf of Cottonwood County, to establish and maintain one or more accounts with Multi-Bank Securities, Inc. and Pershing LLC.

Johnson reported that only one quote was received for a new heating/cooling unit for the 9th Street Office Building. Elite Mechanical was also asked to submit a quote but did not do so. The quote from Schwalbach Hardware, Inc. was in the amount of \$6,933. Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept quote in the amount of \$6,933 from Schwalbach Hardware, Inc.

Discussion was held regarding Courthouse water issues that still need to be resolved. A few contractors have given their opinions and one contractor has submitted a quote. After further discussion, the board decided to reject all quotes as further investigation in regards to this matter needs to be completed before moving forward.

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Discussion was held regarding the request for Mike Hanson and Marlene Smith to attend the Minnesota Association of County Feedlot Officers Conference on October 19-21 in Mankato. Commissioner Kuecker agreed to do some further research in regards to this request and to report his findings at the next board meeting.

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Discussion was held regarding the autopsy report completed on Cherokee (K9 unit) that was recently received by the Sheriff. The board members have not seen a copy of the autopsy report. County Attorney Doug Storey informed the

board that it is important for them to understand that the issue of charges is up to him as County Attorney and the issue of discipline is up to Sheriff Purrington.

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 Motion by Kuecker, second by Sorenson, unanimous vote to close the meeting at 2:04 p.m. to discuss a prior ongoing investigation. Individuals present were: Commissioners White, Kuecker, Sorenson, Holmen and Oeltjenbruns; Kelly Thongvong, Doug Storey, Jan Johnson and Jason Purrington. The closed session ended at 2:35 p.m.

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 Emergency Management Director Kim Hall, County Engineer Ron Gregg and Highway Superintendent Jerry Hayes met with the board to discuss damages within the county from the recent heavy rains. Hall reported that she has not yet heard back from all of the townships in regards to their damages. The estimated cost for County Highway Department repairs at this time is approximately \$200,000. Officials from Homeland Security & Emergency Management will be at the LEC on Wednesday to do a preliminary damage assessment for Cottonwood County.

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

Resolution 10-09-28A
Requesting a Presidential Declaration of a Major Disaster

WHEREAS the County of Cottonwood has sustained severe losses of major proportion, caused by Flooding on the date(s) of September 22, 2010 - continuing; and

WHEREAS Cottonwood County is a public entity within the State of Minnesota; and

WHEREAS substantial damage has been sustained to public property, as outlined in the attached damage assessment forms; and

WHEREAS the cost of recovery from this disaster is beyond the resources available within the county and state and federal resources are necessary;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, for and on behalf of the citizens of Cottonwood County, request the Governor of the State of Minnesota to petition the President of the United States to declare the County of Cottonwood, Minnesota, to be a major disaster area, through appropriate channels.

Be it further resolved that this request is for:

1. The Public Assistance (Infrastructure Support) Program only, as offered through P.L. 93-288 and 106.390.
2. The Hazard Mitigation Program, as offered through P.L. 93-288 and 106.390.

Be it further resolved that the County Emergency Management Director is authorized to coordinate the damage survey teams with local government, and assist in the administration of the disaster recovery process, as needed.

S/Tom White, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Brief discussion was held regarding a call that Commissioner Oeltjenbruns received from Lauren Harder in regards to a tile issue.

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Motion by Sorenson, second by Oeltjenbruns, unanimous vote to accept Board of Water & Soil Resources Natural Resources Block Grant Agreement.

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

**Resolution for Cottonwood County to act
As Project Sponsor and Loan Sponsor for the
"Implementation of Conservation Practices
And Effectiveness Monitoring in the
Middle Minnesota Watershed Project"
Resolution 10-09-28**

BE IT RESOLVED by Cottonwood County, that it hereby designates the Environmental Administrator as Project Representative for the implementation of the "Implementation of Conservation Practices and Effectiveness Monitoring in the Middle Minnesota Continuation Clean Water Partnership Project".

The Project Representative shall have the authority to represent Cottonwood County in all Project matters that do not specifically require action by Cottonwood County Board of Commissioners.

BE IT FURTHER RESOLVED by Cottonwood County that, as Project Sponsor and as Loan Sponsor, Cottonwood County enters into the attached Minnesota Clean Water Partnership Project Implementation Loan Agreement along with the Counties of Nicollet, Renville, Redwood, Sibley, Brown, and Blue Earth as Loan Sponsors, and the Minnesota Pollution Control Agency to conduct the implementation of the "Implementation of Conservation Practices and Effectiveness Monitoring in the Middle Minnesota Watershed Continuation Clean Water Partnership Project".

BE IT FURTHER RESOLVED by Cottonwood County that the Chair, Tom White, be authorized to execute the attached Minnesota Clean Water Partnership Project Implementation Loan Agreement for the above referenced Project on behalf of the Board as Project Sponsor and as a Loan Sponsor.

BE IT FURTHER RESOLVED by Cottonwood County that Jan Johnson, the Treasurer, be authorized to execute requests for loan disbursements for the above referenced project to the Minnesota Pollution Control Agency on behalf of the County.

WHEREUPON the above resolution was adopted at a regular meeting this 28th day of September, 2010.

S/Jan Johnson, Auditor/Treasurer

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Brief discussion was held regarding a recent issue that occurred at the Law Enforcement Center while a group was using one of the meeting rooms in the lower level. Commissioner Sorenson will get in touch with an individual that may have more information in regards to this matter. No action was taken at this time.

Motion by Sorenson, second by Holmen, unanimous vote to approve payment in the amount of \$40.00 to Higley Ford for a transit bill that was missed with the last check run.

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Discussion was held regarding the recorder used in the Commissioner's Room. It was suggested that the next couple of meetings be recorded so that we can make sure the recorder is working properly. It was also suggested to have a backup recorder available when necessary to record meetings.

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Brief discussion was held regarding a new phone system. The consensus of the board was to put this issue on hold for the time being.

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Commissioner Kuecker voiced his concerns with landfill runoff from uncovered material after the recent heavy rains.

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Chairman White excused himself from the meeting at 3:27 p.m. so that discussions could be held regarding a grievance that was filed by Greg Johnson in regards to his recent termination. The consensus of the board was to deny the grievance. Commissioner Kuecker will notify Greg Johnson's counsel. Chairman White returned to the meeting at 3:37 p.m.

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Commissioner Holmen gave a brief update regarding a conversation he recently had with a Murray County Commissioner at the AMC Policy Committee Meetings in regards to regional dispatch as well as whether or not Cottonwood County would ever give any consideration of sharing a County Coordinator/Administrator position with Murray County. The board will discuss this issue at a further time.

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Motion by Sorenson, second by Holmen, unanimous vote to approve agreement with Select Account for administration of the 125 Plan and to offer the debit card option. This option will be offered to employees that do not already utilize the crossover option.

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The board members received a copy of the information that was handed out at the State Audit Exit Interview that was held last week in which Commissioners White and Kuecker were a part of. Discussion regarding some of the findings was held and the consensus of the board is to pursue the development of a travel policy for Cottonwood County so that mileage reimbursement is consistent throughout the county.

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Motion by Kuecker, second by Sorenson, unanimous vote to adjourn as the County Board and to convene as the Ditch Authority at 4:20 p.m.

It was reported that an improvement petition for consolidated JD #2 was received and all the requirements of such a petition were met with no responses of problems/concerns noted.

Motion by Holmen, second by Oeltjenbruns, unanimous vote to accept the improvement petition for consolidated JD #2 and appoint Gerald Engstrom as the Engineer to complete the preliminary report.

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There being no further business, the Ditch Authority adjourned at 4:25 p.m.

Jan Johnson, Auditor/Treasurer

Tom White, Board Chairman

Kelly Thongvong, Bd. Adm. Assistant