

October 11, 2011  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, October 11, 2011 at 9:00 a.m. at the Cottonwood County Courthouse 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, Jim Schmidt, Tom White, Ron Kuecker; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Karen Swenson, Andy Geiger, Jason Purrington, Dave Bucklin, Ron Gregg, Rahn Larson, Jon Diemer and Rick Rud.

The first item of business was to accept the resignation of Commissioner Ron Kuecker as Board Chairman effective October 7, 2011 at 4:00 p.m. due to health issues. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to accept Commissioner Ron Kuecker's resignation as Board Chairman.

Motion by Kuecker, second by Oeltjenbruns, unanimous vote to elect Norm Holmen as Board Chairman to finish the remaining term for 2011.

Motion by White, second by Kuecker, unanimous vote to elect John Oeltjenbruns as Vice-Chairman to finish the remaining term for 2011.

Motion by Oeltjenbruns, second by White, unanimous vote to approve additions to the agenda. Motion by White, second by Schmidt, unanimous vote to approve the minutes of the October 4, 2011 meeting.

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Karen Swenson, Brown-Nicollet CHS, met with the board to present the food contracts for licensing/inspection services and fees for 2012. It was noted that the fees for 2012 will remain the same as 2011 with the exception of three fees (CFM Exam Only, CFM Class and Exam, Outside County). Motion by Oeltjenbruns, second by White, unanimous vote to approve the contract with Brown-Nicollet Community Health Board for licensing/inspection services and fees for 2012.

Swenson informed the board about new legislation that was adopted this past year relating to faith-based communities and school operated concession stands. She reported that the State Health Department will be evaluating Brown-Nicollet Food Program in March of 2012.

Swenson also reported that Heather Kendall was hired as a new Environmental Health Educator and would be starting her duties in January 2012. She will be working 30 hours/week.

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Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve October warrants as follows:

County Revenue Fund	\$178,256.86
Long Term Capital Outlay	\$ 1,105.86
County Building Fund	\$ 1,092.59
Ditch Fund	\$ 48,615.58

Taxes & Penalties Fund	\$ 1,756.65
Road & Bridge	\$ 71,954.79
Waste Abatement/SCORE	\$ 9,940.30
Landfill Enterprise	\$ 35,661.59
	<u>\$348,384.22</u>

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Commissioner Oeltjenbruns informed the board that he recently had a request for payment of a bill in the amount of \$1,113.94 from Curt Fast for repair work done on the Mt. Park shelter house. Fast also agreed to do some further repair work to a burned portion of the shelter house that needs to be repaired due to safety concerns. Motion by Kuecker, second by White, unanimous vote to authorize payment in the amount of \$1,113.94 to Curt Fast as well as an additional bill that will be submitted for the repair of the damaged area.

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Parks Director Andy Geiger met with the board to discuss a few items. Geiger presented a revenue/expense report for Talcot Park. He reported that \$55,669.18 has been collected through September for camping fees and other income associated with Talcot Park.

Update was given regarding the campground host program that was implemented at Talcot Park last season. There are some changes that Geiger would recommend for next year. He will do some further research regarding what some of the other counties are doing with their campground host program.

Geiger shared with the board some correspondence that he has recently had with Audrey Mularie from the Division of Parks and Trails in regards to Red Rock Falls and South Dutch Charlie specifically. Geiger will keep the board updated as he learns more information.

Brief discussion was held regarding the location of the well at the N. 71 County Office Building that needs to be sealed.

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Sheriff Jason Purrington met with the board in regards to the probationary period for Dan Quade and Michael Jans (part-time jailer/dispatchers). Motion by White, second by Schmidt, unanimous vote to move Dan Quade to permanent part-time status effective October 13<sup>th</sup> after successful completion of his 6-month probationary period. Motion by Schmidt, second by Oeltjenbruns, unanimous vote to extend Michael Jans' probationary period an additional six months beyond October 13<sup>th</sup> as he needs more work with his dispatching responsibilities.

Motion by White, second by Kuecker, unanimous vote to accept DNR ATV grant for 2012-2013 in the amount of \$9,372 (\$4,686/year). Purrington is hoping to use a portion of the funds for the purchase of an ATV obstacle course.

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Dave Bucklin, SWCD, met with the board to present two applications for water/wetland projects for consideration. The first application was from Agrinatural Gas LLC for the construction of approximately 15 miles of natural gas pipeline through Cottonwood and Jackson counties. The pipeline will be directionally bored within all wetland areas starting and finishing approximately

50 feet outside the wetland boundary so as to avoid all wetland impacts. The applicant is requesting a no-loss decision based on the plans. Motion by Kuecker, second by White, unanimous vote to approve Wetland Conservation application from Agrinatural Gas LLC for the installation of a pipeline in southwestern Minnesota with the no-loss recommendation.

The second application was from Murl & Mary Rupp for the construction of a culvert and drive over with clay fill. The culvert will allow the Rupp's to cross to the north side of their property without going through their neighbor's property. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve Wetland Conservation application from Murl & Mary Rupp for the construction of a culvert and drive over on their property with exemption for a small crossing being allowed.

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Commissioner Oeltjenbruns reported that he recently received a request for a crosswalk on County Road 1 and County Road 27 by the Chevy dealer in Mt. Lake. County Engineer Ron Gregg will get in contact with the City of Mt. Lake in regards to the request.

It was reported that the total of the engineering costs for the Mt. Lake bike trail project to date is \$39,923. Gregg was asked to provide an itemized statement of the engineering costs so that Wendy Meyer has something to present to the Mt. Lake City Council.

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County Engineer Ron Gregg met with the board to present a few things. Gregg reported that the purchase price for the CASE 1150K WT dozer that was approved at the October 4<sup>th</sup> board meeting was incorrect. The amortization summary that was presented to the board did not include the sales tax in the annual payment. The additional cost for the CASE dozer is \$10,869.12. Motion by White, second by Schmidt, unanimous vote to recognize the additional \$10,869.12 in sales tax on the purchase of the CASE 1150K WT dozer that was approved at the last meeting.

Gregg voiced his concerns about the current condition of the recycling equipment should Cottonwood County continue with the current recycling program.

A budget report through the end of September was handed out for the board's review. Questions can be addressed at the next board meeting if needed.

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Commissioner White shared his thoughts in regards to the quote process and questioned whether a memo should be sent out to Department Heads clarifying the procedure of when and when you do not have to get prior board approval to obtain quotes. Chairman Holmen will draft a letter to bring to the board in a few weeks.

A monthly trial balance was handed out for the board's review. It was noted that a temporary transfer of \$500,000 has been made to the Highway Department. The board can formally act on this transfer in December after receiving the 2<sup>nd</sup> half of the levy.

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Due to the recent change in Chairmanship, Chairman Holmen appointed himself and Commissioner White to serve as negotiators for upcoming union negotiations. He also appointed Commissioners Schmidt and Oeltjenbruns to serve on a non-union and Department Head salary review committee.

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

Motion by Oeltjenbruns, second by White, unanimous vote to set the final public hearing date for the consolidated JD #2 improvement for October 25<sup>th</sup> at 1:30 p.m.

Motion by Kuecker, second by Schmidt, unanimous vote to open bids for the construction improvement of consolidated JD #2 on October 25<sup>th</sup> following the final public hearing.

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

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At 11:03 a.m. Commissioner White recused himself from the meeting due to a conflict of interest with consideration to rescind the contract for single stream recycling. County Attorney Nick Anderson voiced his opinion as well as that of MCIT in regards to rescinding the motion to accept Waste Management's bid for single stream recycling. The board agreed that there was no further desire to rescind the motion as was previously discussed at the last board meeting.

There was discussion in regards to the possibility of negotiating a change order in the contract to allow for the county's purchase of recycling containers if they would choose. It was suggested that two options (county to purchase & maintain containers and county to purchase & Waste Management to maintain containers) should be explored.

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Chairman Holmen closed the meeting at 11:20 a.m. to discuss strategy for labor negotiations. Individuals present were: Commissioners Holmen, Oeltjenbruns, Schmidt, White and Kuecker; Executive Assistant Kelly Thongvong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson.

At 12:00 p.m. Chairman Holmen adjourned the closed session.

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There being no further business, the meeting adjourned at 12:00 p.m.

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Jan Johnson, Auditor/Treasurer

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Norm Holmen, Board Chairman

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Kelly Thongvong, Executive Assistant