

October 26, 2010
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, October 26, 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; Cheryl Peters, Dennis Nelson, Vince Vander Top, Ron Gregg, Jason Purrington, Jeff LaCanne, Travis Hodkin, Larry Stevens, Mike Adrian, Betty Adrian, Leslie Harder, Merle Wall, Bernice Wall, Linda Krahn, Richard Krahn and Herb Nagorske.

Motion by Holmen, second by Sorenson, unanimous vote to approve additions to the agenda including a request by the County Attorney that the meeting be closed at some point for attorney-client privileges. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve the minutes of the October 12, 2010 meeting as amended.

* * * *

Motion by Sorenson, second by Kuecker, unanimous vote to recess as the County Board and to convene as the Ditch Authority to hold a public hearing for a proposed improvement for consolidated JD #2.

The revised preliminary report that was compiled by Gerald Engstrom was reviewed. Members of the public were present to voice their questions and concerns. After further discussion, there was a motion by Holmen, second by Sorenson, unanimous vote to table the decision regarding consolidated JD #2 proposed improvement for Tuesday, November 2nd at 10:15 a.m.

There being no further business to come before the Ditch Authority, there was a motion by Kuecker, second by Sorenson, unanimous vote to adjourn as the Ditch Authority and to reconvene as the County Board.

* * * *

Cheryl Peters, Court Administrator, met with the board to present quotes for the re-upholstery of furniture in the Courtroom as follows: Harvey's Upholstery - \$2,623.98 and Goodyear Upholstery - \$1,625.26. Motion by Kuecker, second by Sorenson, unanimous vote to accept the low quote in the amount of \$1,625.26. The county will cover the cost of pick-up and delivery of the furniture.

* * * *

Dennis Nelson and Vince Vander Top from Wenck Associates met with the board to present a proposal to prepare a study report to examine options available to Cottonwood County for replacing the existing HVAC system in the Law Enforcement Center. The report will look at the following two options: 1) replace existing roof top chillers/compressor units and boilers with more efficient units; 2) replace existing HVAC equipment with a geothermal/ground source heat pump system to provide heating, cooling and domestic hot water. The not-to-

exceed amount of the proposal was for \$6,000. After further discussion, the board agreed to delay the decision on the acceptance of the proposal until further research can be done regarding grant opportunities for such a project.

* * * *

County Engineer Ron Gregg met with the board to discuss several different items. Gregg asked that the board consider allowing him to hire a part-time solid waste employee to help with recycling routes as well as janitorial duties in the Windom Highway Shop and offices. The board asked Gregg to reevaluate the needs of the department and to continue to address the issues within the department.

Update was given regarding 2010 construction projects. Gregg reported that CSAH 13 has 2 1/2 miles of grading left to be completed. He also reported that the Jeffers Main Street project is moving along and they are now working on the curb and gutter. The Mt. Lake Trail construction is now complete.

Gregg asked that the county consider purchasing safety jackets for the non-union employees of the Highway Department. The board agreed that because safety vests are made available to the non-union employees, the purchase of safety jackets is not necessary.

Motion by Kuecker, second by Sorenson, unanimous vote to approve City contracts for snow removal on County State Aid routes in the Cities of Jeffers, Westbrook and Mt. Lake. The cost per mile is the same as previous years at \$1,200.

* * * *

Sheriff Jason Purrington met with the board to present quotes for the replacement of a dryer at the jail. Two quotes were received as follows: Smith Appliance Service - \$541.93 and Town 'N Country - \$497.93. Motion by Sorenson, second by Kuecker, unanimous vote to accept the low quote in the amount of \$497.93 from Town 'N Country.

* * * *

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to close the meeting at 3:00 p.m. at the request of the County Attorney for attorney-client privilege. Individuals present were: Commissioners Tom White, Ron Kuecker, Norm Holmen, John Oeltjenbruns, Gary Sorenson; Administrative Assistant Kelly Thongvivong, County Attorney Doug Storey, Auditor/Treasurer Jan Johnson, Sheriff Jason Purrington and Deputy Jeff LaCanne.

Motion by Sorenson, second by Oeltjenbruns, unanimous vote to open the meeting at 5:02 p.m.

Based on information received from Sheriff Purrington and Deputy LaCanne in closed session regarding an investigation of the Environmental Office and Parks Department, there was a motion by Kuecker, second by Holmen, unanimous vote to move that we suspend without pay Michael Hanson and Marlene Smith effective immediately.

* * * *

Discussion was held regarding permit that was recently issued to Jerry Evers to construct a barn. It seems that a conditional use permit hearing would have needed to be held before a permit could be issued. Commissioner Holmen will do some follow-up on this matter.

* * * *

Brief discussion was held regarding the concern of a landfill employee. This employee recently requested that a meeting be held to discuss his concern. Ken Leas, AFSCME union representative, will be contacted in regards to dates that might work to discuss the matter.

* * * *

Motion by Holmen, second by Oeltjenbruns, unanimous vote to adopt resolution as follows:

**Resolution 10-10-26
Withdrawal from Brown-Nicollet-Cottonwood
Joint Clean Water Partnership Project**

The following Resolution was offered by Commissioner Holmen and moved for adoption at a regular meeting held on Tuesday, October 26, 2010 at the Cottonwood County Courthouse, Windom, MN.

WHEREAS, Cottonwood County entered into an agreement dated October 13, 1992 with Nicollet and Brown Counties establishing a Joint Clean Water Partnership Project; and

WHEREAS, grant funding for Joint Clean Water Partnership projects are no longer available; and

WHEREAS, the Brown-Nicollet-Cottonwood Water Quality Joint Powers Board has decided to place the Joint Clean Water Partnership Project into an inactive status;

NOW, THEREFORE, BE IT RESOLVED, that the Cottonwood County Board of Commissioners hereby withdraws from the Joint Powers Agreement of the Brown-Nicollet-Cottonwood Counties Joint Clean Water Partnership Project effective December 31, 2010.

Seconded by Commissioner Oeltjenbruns and the same being put to a vote was duly carried.

This Resolution shall become effective immediately and without publication.

Adopted by the following vote: Ayes 5 Nays 0

Dated this 26th day of October 2010.

S/Tom White, Board Chairman

*

*

S/Jan Johnson, Auditor/Treasurer

*

*

Update was given regarding Memorandum of Understanding between the Federal Emergency Management Agency (FEMA) and Cottonwood County that was recently signed by Sheriff Jason Purrington and Chairman Tom White. On a recommendation by County Attorney Doug Storey, Chairman White polled the board in regards to signing the Memorandum of Understanding that was received on October 21st as FEMA had hoped to occupy the facility on October 25th. The

lower level of the Law Enforcement Center will be used as a Public Assistance Task Force Office for eligible applicants who were affected by the severe storms that occurred on September 22, 2010 in southern Minnesota for a period of up to 90 days. Motion by Oeltjenbruns, second by Sorenson, unanimous vote to approve the Memorandum of Understanding.

* * * *

Motion by Holmen, second by Sorenson, unanimous vote to approve the purchase of four media converters from Fiber Optic Cable Shop for the Sheriff's Department and to use the county credit card for this purchase.

* * * *

Update was given regarding a meeting that was held on October 15th between County Attorney Doug Storey, Commissioner Gary Sorenson, Greg Johnson and Dan Birkholz. The board agreed to deny the appeal in Step II of Cottonwood County's grievance policy and to deny the request by Greg Johnson to be placed back on unpaid suspension until after the criminal trial is completed. Sorenson informed the board that he agreed to waive the timelines in Step III of the grievance policy and to allow Greg Johnson to appear before the board at the November 23rd meeting by contacting Kelly to schedule a time.

* * * *

Commissioner Sorenson reported that he had information on SRDC grant opportunities if anyone is interested.

Brief discussion was held regarding employee restroom on the main level of the Courthouse.

* * * *

There being no further business, there was a motion by Kuecker, second by Holmen, unanimous vote to adjourn the meeting at 5:52 p.m.

Jan Johnson, Auditor/Treasurer

Tom White, Board Chairman

Kelly Thongvivong, Bd. Adm. Assistant