

March 3, 2015
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 3, 2015 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Tom Appel, Kevin Stevens, Norm Holmen, Jim Schmidt, Donna Gravley, County Coordinator Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson, Kathy Marsh, Kyle Pillatzki, Rory Lindvall, Jared Morrill, Roger Ambrose, Nancy Macgregor, Diane Harder, Brenda Anderson, Susan Amundson, Gale Bondhus, Ron Kuecker, Alan Coners, Dorothy Fundahn, Terry Overn, Rahn Larson, and Mike Johnson.

Motion by Stevens, second by Schmidt, unanimous vote to approve the agenda as amended. Motion by Gravley, second by Appel, unanimous vote to approve the minutes of the February 17, 2015 meeting.

* * * *

Glenn Johnson, Director of Information Systems, presented a state quote for the purchase of additional licenses for Mobile Access VPN connections and maintenance for two years. Johnson stated that the maintenance for the current Mobile Access licenses is up for renewal and we need to purchase additional licenses for the High Availability firewall along with maintenance. Motion by Stevens, second by Schmidt, unanimous vote to accept state quote from Insight for additional licenses for Mobile Access VPN connections and maintenance for two years at a cost of \$1,649.11.

Johnson updated the board on the status of the new phone system. Johnson has contacted vendors for proposals and will present at an April meeting.

* * * *

Jan Johnson, Auditor/Treasurer, asked for clarification regarding the Windom recycling shed. The minutes of August 26, 2014 state that we rent the whole building for \$1,500 per year plus electrical. The minutes of February 3, 2015 state we could use a portion of the building. Johnson stated that a hard copy of a lease agreement cannot be found and that one should be made up with space and fee re-negotiated. Commissioner Schmidt and Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, agreed to work together with the Ag Society to draft a lease for the recycling shed.

* * * *

Rory Lindvall, Assistant County Engineer, met with the board to discuss a few items. Lindvall stated that the Mastic Cooker the Highway Department wanted to purchase has some issues and that more time is needed to see how extensive the issues are. Motion by Schmidt, second by Appel, unanimous vote to allow the Highway Department to purchase a used Mastic Cooker at a price not to exceed \$30,000.

Lindvall presented quotes that were received for gravel hauling. Quotes are as follows: Sweetman Sand and Gravel - \$4.85 per ton; Mathiowetz Construction Company - \$4.96 per ton; L & S Construction Corp. - \$5.25 per ton; Michael Bettin Trucking, Inc. - \$5.60 per ton; Minion Excavating - \$5.82 per ton. Motion by

Stevens, second by Appel, unanimous vote to accept quote and enter into contract with Sweetman Sand and Gravel for gravel hauling at \$4.85 per ton.

Lindvall asked for permission to advertise for Project Number SAP 017-599-069. This project is for replacing bridge number L6522 with a 14' x 6' precast box culver. Motion by Gravley, second by Schmidt, unanimous vote to advertise for bid letting for SAP 017-599-069.

Lindvall asked for permission to advertise for Project Numbers: SP 017-605-022 and SP 017-070-022. These projects are for CSAH 5 from TH 62 to TH 30. Motion by Schmidt, second by Stevens, unanimous vote to advertise for bid letting for SP 017-605-022 and SP 017-070-022.

* * * *

Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, met with the board to discuss Landfill Regulatory Reporting services. Pillatzki stated that Short Elliot Hendrickson, Inc. (SEH) has been monitoring the landfill for many years. Motion by Appel, second by Gravley, unanimous vote to accept the Agreement for Professional Services with Short Elliot Hendrickson, Inc. for an estimated total of \$15,770.00 for monitoring the landfill in 2015.

Pillatzki stated that at the February 17, 2015 meeting he was granted permission to purchase a dry van trailer. Pillatzki informed the board that the landfill may want to purchase a 20'-25' enclosed trailer that can be pulled behind a pick up instead. A trailer this size would hold approximately 40 mattresses. Motion by Gravley, second by Schmidt, unanimous vote to allow the landfill to purchase a 20'-25' enclosed trailer versus a dry van trailer.

* * * *

Jared Morrill, Planning and Zoning Technician, met with the board to get approval for three Conditional Use Permits. Public hearings were held for the three Conditional Use Permits on March 2, 2015. Morrill presented a Conditional Use Permit request from Southern Minnesota Construction for a gravel extraction permit and wash plant in Dale Township. Motion by Appel, second by Gravley, unanimous vote to approve the Conditional Use Permit for Southern Minnesota Construction for a gravel extraction permit and wash plant in Dale Township with the following conditions: (1) Comply with Cottonwood County Ordinance #36; (2) Submit a \$30,000 Bond to Cottonwood County, and (3) Establish the South property line be legal survey (applicant's responsibility).

Morrill presented a Conditional Use Permit request from Highwater Ethanol, LLC to construct a water transport pipeline from the Sioux Rock Quarry to a Well House in Highwater Township, Section 14. Motion by Schmidt, second by Stevens, unanimous vote to approve the Conditional Use Permit for Highwater Ethanol, LLC to construct a water transport pipeline from the Sioux Rock Quarry to a Well House in Highwater Township, Section 14 with the following conditions: (1) Highwater Ethanol, LLC will assume responsibility for the movement of the pipeline in right-of-way during any future road construction; (2) Existing tile line will be maintained at all intersections; (3) Comply with Cottonwood County Zoning Ordinance #28; and (4) Meet all local/state/federal permits and fees.

Morrill presented a Conditional Use Permit request from Highwater Ethanol, LLC to construct a pump house inside of Shoreland in Delton Township. Motion by Stevens, second by Schmidt, unanimous vote to approve the Conditional Use Permit for Highwater Ethanol, LLC to construct a pump house inside of Shoreland in Delton Township with the following conditions: (1) During construction have a dumpster onsite; (2) Have a silt fence or other appropriate structures in place during construction; (3) Acquire any state permits needed; (4) Comply with Cottonwood County Ordinance #28; (5) Have a port-a-potty onsite during construction; and (6) Maintain dust control measures during construction.

* * * *

Kathleen Kretsch, County Recorder, met with the board to discuss recent Cottonwood County legislation that was presented in error regarding the elected positions of the Cottonwood County Recorder and Auditor/Treasurer being made appointed positions. Kretsch gave a brief summary of events leading up to this meeting. Commissioner Holmen stated that he had contacted Representative Hamilton and Senator Weber for informational purposes only and that he was as unaware as everyone else as to the extent that his inquiry had progressed. Commissioner Holmen reconfirmed that the Cottonwood County bill had been stopped and that county board discussion is always done before action is taken on items affecting the county.

* * * *

Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Discussion was held regarding the possibility of giving Roger Ambrose, Assistant Solid Waste Administrator, a 90-day option to return to an HEO position per his request, as the new landfill hours are in question and there seems to be miscommunication regarding the landfill. Commissioner Gravley suggested creating a planning committee involving two Commissioners, the County Engineer, the Planning & Zoning Technician, and the County Coordinator to discuss future plans/needs of the landfill. Motion by Schmidt to allow Kyle Pillatzki to remain at his current pay and continue to receive the \$500 per month stipend for his appointed position as Solid Waste Administrator and give Roger Ambrose, Assistant Solid Waste Administrator, 90 days to decide if he wants to return to an HEO position. Motion failed for lack of a second. Motion by Schmidt, second by Stevens, to give Roger Ambrose, Assistant Solid Waste Administrator, a 90 day option, effective immediately, to return to an HEO position. Voting Aye – Stevens, Schmidt, and Holmen. Voting Nay – Appel and Gravley.

Thongvivong informed the board that she was approached by Ree Tschetter at Southwest Mental Health regarding a hole in the wall where a water fountain had been removed and also asked if the wallpaper in the restrooms could be removed and the walls painted. Motion by Appel, second by Schmidt, unanimous vote to obtain quotes for repair of the hole in the wall as well as removal of wall paper and painting of both restrooms at the Southwest Mental Health offices.

Thongvivong stated that she received a letter from Jackson County concerning the current law governing the ditch authority for systems that lie within watershed districts and asked that up to two commissioners be appointed to sit on a

committee tasked with developing a legislative proposal to clarify the roles of the Drainage Authority and Watershed Districts to avoid duplication. Chairman Holmen appointed Commissioner Stevens to this committee and Commissioner Schmidt as alternate.

Motion by Gravley, second by Schmidt, unanimous vote to approve placement of an ad in the Cottonwood County Visitors Guide at a cost of \$564 to be paid in one payment.

* * * *

Commissioner Schmidt led discussion regarding Kyle Pillatzki's stipend. Motion by Appel, second by Gravley, to reduce the Solid Waste Administrator's stipend from \$500 per month to \$200 per month, effective March 3, 2015, for six months and will be revisited at the September 1, 2015 meeting. Voting Aye: Appel, Gravley, and Holmen. Nay: Schmidt and Stevens.

Jan Johnson, Auditor/Treasurer, wanted to clarify that Pillatzki should receive the \$500 stipend for February, and prorate the \$500 stipend for March. The \$200 per month stipend goes into effect March 3, 2015 and will be revisited on September 1 or until written notice of resignation of the appointed Solid Waste Administrator position is received from Pillatzki.

* * * *

Motion by Gravley, second by Appel, unanimous vote to approve March warrants as follows:

County Revenue Fund	\$ 45,619.92
County Building Fund	\$ 1,725.00
Ditch Fund	\$ 2,333.76
Road and Bridge Fund	\$ 10,738.88
Waste Abatement/SCORE	\$ 198.84
Landfill Enterprise	\$ 7,246.63
	<u>\$ 67,863.03</u>

* * * *

Kelly Thongviong, County Coordinator ask that a committee be appointed to work on the Guaranteed Energy Savings Program. Chairman Holmen appointed himself, Commissioner Stevens, Kelly Thongviong, Jan Johnson, JinYeene Neumann, Jerry Hayes, Kevin Paulsen, Brian Cooley, and Jay Elness.

Thongviong informed the board that the Veteran's Service Officer would not be moving his desk to his new office and asked about selling the desk to Southwest Mental Health (SWMH) as they are going to be renting the office and do not have a desk. The consensus of the board is let SWMH use the desk.

* * * *

Commissioner Holmen shared a letter he received from the MN Department of Agriculture regarding GMO's.

Commissioner Stevens updated the board on MRCC meetings he has attended and the Highway 60 meeting that was held on March 2.

Commissioner Donna Gravley, Commissioner, informed the board that Leland Thiessen confirmed staying on the Planning and Zoning Commission for another term; that A.C.E. will be hosting Chamber Coffee on March 6; and that the Southwest Regional Development is sponsoring a County Day of Recognition for

National Service on April 7 and Gravley stated that the county should have a proclamation thanking our volunteers.

* * * *

There being no further business, the meeting was adjourned at 12:15 p.m.

Jan Johnson, Auditor/Treasurer

Norman Holmen, Board Chairman

Kelly Thongvivong, County Coordinator