

September 6, 2011  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, September 6, 2011 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Ron Kuecker. Present for all or portions of the meeting were: Commissioners Ron Kuecker, Norm Holmen, John Oeltjenbruns, Jim Schmidt, Tom White; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Gale Bondhus, Ron Gregg and KhamSene Singnolay.

Motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve additions to the agenda. Motion by White, second by Holmen, unanimous vote to approve the minutes of the August 23, 2011 meeting as amended. Motion by Holmen, second by White, unanimous vote to approve the minutes of the August 31, 2011 special meeting/work session.

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County Assessor Gale Bondhus met with the board to discuss the Long-Term Fund for aerial fly-over for 2014. Bondhus reported that the previous fly-over was done in April 2007. Motion by Oeltjenbruns, second by White, unanimous vote to designate \$38,000 in 2014 from the Recorder's Unallocated Contingency Fund for GIS aerial flyover.

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Commissioner Holmen questioned whether or not the county needs to get another individual licensed to check the boilers. The county currently has three individuals licensed to check the boilers on rotating weekends. Auditor/Treasurer Jan Johnson will check into this further and give an update at the next board meeting.

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Discussion was held regarding a Blandin Loan (Seed Capital) in the amount of \$25,000 that was taken out by the City of Windom EDA in 2001 that recently became due. This was a 10-year loan with no interest due during the period of the loan. Auditor/Treasurer Jan Johnson was instructed to collect the money from the City of Windom EDA by the end of the month. More information regarding the guidelines and loan criteria of the Seed Capital Fund will be presented at a future meeting.

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Auditor/Treasurer Jan Johnson reported that he recently received re-purchase requests from two individuals that are hoping to retain their homes instead of having them sold at the public sale for tax-forfeited properties. The condition of the re-purchase of the property allows for a 10% down payment on the delinquent taxes and then to pay 10% before December 31<sup>st</sup> of each year for the next nine years. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to allow for the re-purchase of property at 1111 Mt. Lake Road in Mt. Lake.

Motion by Oeltjenbruns, second by Holmen, unanimous vote to allow for the re-purchase of property at 918 N. 10<sup>th</sup> Street in Mt. Lake.

Motion by White, second by Schmidt, unanimous roll call vote to amend List of Tax-Forfeited Land #12 as part of Resolution 11-07-12 to reflect the re-purchase of two properties in Mt. Lake and to also change the date of the public sale to October 20<sup>th</sup>.

Johnson reported that he did not receive any quotes for the tax-forfeiture property demotion. He is hoping that someone expresses an interest in submitting a quote or the tax-forfeited properties may have to be sold as is.

Johnson reported that he received quotes for phone services from TDS and the City of Windom but has not yet had time to review the quotes. No action was taken at this time until quotes can be further reviewed. This will be discussed again at the September 27<sup>th</sup> board meeting.

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Motion by White, second by Holmen to accept resignation from Orin Johnson as part-time jailer/dispatcher effective August 29, 2011 with appropriate payout of benefits. Voting as follows: Aye: White, Holmen, Oeltjenbruns, Kuecker. Commissioner Schmidt abstained from the vote. Motion carried.

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Motion by Holmen, second by Oeltjenbruns, unanimous vote to adopt Public Transit Vehicle Maintenance Policies and Procedures for Cottonwood County Transit.

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Motion by Holmen, second by White, unanimous vote to adopt Policy Number 680 "Security Policy on Portable Computing Devices" effective 9/6/11 as well as "Not Public Data Storage" Authorization Form.

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Motion by White, second by Oeltjenbruns, unanimous roll call vote to adopt resolution as follows:

#### RESOLUTION 11-09-06

#### Cottonwood County Joining the National Moment of Remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>

**WHEREAS**, the governing body of Cottonwood County expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

**WHEREAS**, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

**WHEREAS**, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

**WHEREAS**, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

**WHEREAS**, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

**WHEREAS**, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

**WHEREAS**, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

**WHEREAS**, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

**WHEREAS**, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

**WHEREAS**, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

**WHEREAS**, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

**WHEREAS**, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

**WHEREAS**, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

**WHEREAS**, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

**WHEREAS**, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

**WHEREAS**, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

**WHEREAS**, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

**WHEREAS**, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and

September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

**WHEREAS**, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

**NOW, THEREFORE BE IT RESOLVED** that the governing body of Cottonwood County

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and
- (4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and
- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

**BE IT FURTHER RESOLVED** that on the 10th anniversary of this tragic day in United States history the governing body of Cottonwood County calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

**BE IT FURTHER RESOLVED** that the governing body of Cottonwood County encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

Dated September 6, 2011

S/Ron Kuecker, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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County Engineer Ron Gregg met with the board to discuss a few different items. Gregg reported that he has no further information on the Stipulation Agreement for the landfill. He did report that the wellhead measuring system may be the issue and not the amount of actual leachate on the liner. Daryl Heaps from Short Elliott Hendrickson, Inc. (SEH) recently sent a letter to MPCA explaining his findings at the landfill as a result of jetting the headwells. Gregg

was questioned about why there was not better oversight of the leachate levels at the landfill. Gregg commented that the employees were given a two month supply of documents to fill out and when the forms ran out, they quit recording leachate levels. He also stated that one employee was not checking levels of leachate when the conditions were muddy. Gregg agreed that he was ultimately responsible for the leachate levels and that he could have reprimanded the employees for not doing their job. The Stipulation Agreement will be discussed further at the next board meeting.

Gregg gave an update on the partial closure of cells 4, 5 & 6. He stated that the project is moving along and he anticipates the liner going on next week.

Gregg reported that the Mt. Lake Bike Trail Project is approximately 85% complete at this time. The shoulders need to be pulled up yet and the signs need to be installed.

Chairman Kuecker expressed his thoughts regarding having a portion of wind tower funds being designated for equipment at the Highway Department. More information will be available after today regarding the cost to lease motor graders. This information will be presented at the next board meeting.

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Discussion was held regarding departmental budgetary presentations and those of various other groups in preparation for setting the preliminary levy on September 13<sup>th</sup>. Information including budget requests for 2011 along with the proposed budget requests for 2012 as well as the amount of the change was handed out for the board's review. Information in regards to the preliminary levy was also given to the board. The preliminary levy for 2012 will be set at the next board meeting.

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Brief discussion was held regarding Leslie Makovsky's position and the splitting of her salary. Her salary is currently split between two departments (80% Planning & Zoning and 20% Veterans). Chairman Kuecker is questioning whether her salary should be split equally between three departments (Planning & Zoning, Veterans and Parks). No action was taken.

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There being no further business, the meeting adjourned at 11:43 a.m.

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Jan Johnson, Auditor/Treasurer

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Ron Kuecker, Board Chairman

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Kelly Thongvivong, Executive Assistant