

July 21, 2020
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, July 21, 2020 at 9:00 a.m. at the Law Enforcement Center in Windom, MN. Present in person or via teleconference for all or portions of the meeting were: Commissioners Kevin Stevens, Tom Appel, Donna Gravley, Norm Holmen, Larry Anderson; County Attorney Nick Anderson, County Coordinator Kelly Thongvivong, Auditor/Treasurer Donna Torkelson, Kathy Marsh, Jason Purrington, Gale Bondhus, Nick Klisch, Anna Lotts, Joel Bordewyk, Mark Hesse, Dusty Pfeiffer, Ben Fast, Clark Fast, Rod Junker, Jacob Tippin, Marty Espenson, Bob Liesenfeld, Dennis Willaby, Douglas Willaby, and Joel Alvstad.

Chairman Stevens called the meeting to order. The Pledge of Allegiance was recited. Motion by Gravley, second by Holmen, unanimous roll call vote to approve the agenda. Motion by Appel, second by Anderson, unanimous roll call vote to approve the minutes of the July 7, 2020 regular meeting and the July 16, 2020 special meeting.

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Jason Purrington, Sheriff, informed the board that the Emergency Communications Board has been awarded a GIS Grant from the state in the amount of \$231,448.15 and that Cottonwood County's share of this grant is \$8,607.52. Purrington asked that the board approve the grant agreement. Motion by Gravley, second by Holmen, unanimous roll call vote to approve the 2019 DECN Next Generation Information System Grant for Cottonwood County in the amount of \$8,607.52.

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Gale Bondhus, County Assessor, led discussion on a procedural change effecting Actively Engaged in Farming (AEF) Homesteads. Bondhus stated that every year up to three letters are sent, phone calls are made, and an ad is placed in the paper to remind people to apply for the AEF Homestead. Bondhus stated that a number of counties are sending out only one letter. Bondhus stated that due to time and expenses, she would like to send out one letter and a follow-up letter, if needed, along with the ad in December. Motion by Anderson, second by Holmen, unanimous roll call vote to send an Actively Engaged in Farming (AEF) Homestead letter in July, a follow-up letter in late November, and place an ad in the *Citizen* in December.

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Nick Klisch, Public Works Director, met with the board to discuss a few items. Klisch stated that MnDOT is doing a bridge replacement project on TH 71 near Sanborn in 2021 and is requesting the use of one mile of CSAH 11 as part of their detour route. Klisch stated that MnDOT will reimburse Cottonwood County an estimated \$2,729.81 for road use and maintenance costs. Motion by Holmen, second by Anderson, unanimous roll call vote to approve MnDOT Agreement No. 1036052 and resolution as follows:

COTTONWOOD COUNTY RESOLUTION

IT IS RESOLVED that Cottonwood County enter into MnDOT Agreement No. 1036052 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use and maintenance of County State Aid Highway No. 11 as a detour route during the contract construction to be performed upon, along and adjacent to Trunk Highway No.71 at 2.8 miles south of Trunk Highway 14 under State Project No. 6405-89 (T.H. 71=71).

IT IS FURTHER RESOLVED that the County Board Chairperson and the County Engineer are authorized to execute the Agreement and any amendments to the Agreement.

S/Kevin Stevens, Board Chairman

S/Donna Torkelson, Auditor/Treasurer

Klisch led discussion regarding CSAH 2 from CSAH 28 to MN TH 30 that is currently posted at 7 ton axle weight due to rapid deterioration. Klisch stated that CSAH 2 is currently scheduled for a mill and overlay in 2022 and in order to protect the remaining structural value of pavement it is necessary to post at 7 ton axle weight in normal conditions and 5 ton axle weight in the spring. Klisch stated that he has received complaints on the road postings from farmers. Klisch informed the board that MnDOT has recently announces that it is accepting applications for the Highway Freight Program and that he would like to apply for 2023 funding. After much discussion, it was decided that CSAH 2 should be opened to 10 ton axle weight in the fall for harvest and that Klisch should put together some repair options and pricings and bring to an August meeting. Motion by Holmen, second by Anderson, unanimous roll call vote to approve resolution 20-07-21 as follows:

RESOLUTION 20-07-21**AUTHORIZATION FOR A LOCAL FINANCIAL COMMITMENT BETWEEN COTTONWOOD COUNTY AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION**

BE IT RESOLVED that Cottonwood County act as the legal sponsor for project contained in the Minnesota Highway Freight Program Application to be submitted on or before September 28, 2020 for County state Aid Highway 2 and that the Cottonwood County Board Chair and Cottonwood County Engineer are hereby authorized to apply to the Minnesota Department of Transportation for funding of this project on behalf of Cottonwood County.

BE IT FURTHER RESOLVED that Cottonwood County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds and adequate construction of the proposed project.

BE IT FURTHER RESOLVED that Cottonwood County has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, Cottonwood County may enter into an agreement with the State of Minnesota for the above-referenced project, and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that Cottonwood County has fully committed to the local match requirements and dollar amount as indicated in the formally submitted application.

BE IT FURTHER RESOLVED that Cottonwood County confirms if the project cost increases above the amount listed in the Application, Cottonwood County will provide or secure all additional funds necessary to complete the project.

BE IT FURTHER RESOLVED that Cottonwood County certifies that it will comply with all applicable laws, regulations, and rules of the Application.

BE IT FURTHER RESOLVED that the sources and uses, private investors, equity, and other financing commitment represented in the attached document are accurate.

NOW, THEREFORE BE IT RESOLVED that the Cottonwood County Board Chair and Cottonwood County Engineer, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

Adopted this 21st day of July, 2020.

S/Kevin Stevens, Board Chairman

S/Donna Torkelson, Auditor/Treasurer

Klisch led a short discussion regarding Local Option Sales Tax and increasing the Wheelage Tax. Consensus of the board was no on the Local Option Sales Tax. Motion by Holmen, second by Appel, to increase the Wheelage Tax from \$10 to \$20 effective January 1, 2021. Voting Aye – Holmen and Appel. Voting Nay – Gravley, Anderson, and Stevens. Motion failed.

Klisch informed the board that due to shoulder widening, resurfacing, and curve alignment on CSAH 7 in 2021, temporary and permanent easements are needed from the DNR. Motion by Gravley, second by Anderson, unanimous roll call vote to approve resolution 20-07-21A as follows:

Resolution 20-07-21A

CSAH 7 from MN Trunk Highway 62 to CSAH 13

Whereas, CSAH 7 from MN Trunk Highway 62 to CSAH 13 is an important Cottonwood County Major Collector, farm to market road, and provides access to Talcot Dam and Talcot Wildlife Refuge, and

Whereas, CSAH 2 is programmed in the current Cottonwood County five-year construction plan to be rehabilitated and improved for the 2021 construction season, and

Whereas, in order to accommodate shoulder widening, curve corrections, and culvert repairs and replacements to improve safety, drainage, and mobility additional right of way is needed, now

Therefore be it resolved, the County Engineer and County Attorney are authorized to procure the necessary right of way including use of eminent domain if needed.

Adopted this 21st day of July 2020.

S/Kevin Stevens, Board Chairman

S/Donna Torkelson, Auditor/Treasurer

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Gravley, second by Anderson, unanimous roll call vote to hire Kimberly McCutcheon as part-time (up to 24 hours per week) Deputy Recorder on Range 9, Step A (\$17.65/hour) of the pay matrix after successful completion of all hiring requirements.

Thongvivong informed the board of three internal applicants for the open full-time Jailer/Dispatcher position and stated that interviews would be held on July 22. Thongvivong asked for permission to offer the position to one of the candidates based on the interviews and bring the name forward at the next meeting. Motion by Anderson, second by Holmen, unanimous roll call vote to promote an internal applicant to the full-time Jailer/Dispatcher position after conducting interviews with all applicants.

CARES Act funding discussion was continued from the July 16th meeting.

The two draft CARES applications were reviewed and it was discussed that a grant agreement also needs to be drafted. There was further discussion on the process and timeline.

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Motion by Appel, second by Gravley, unanimous roll call vote to approve July warrants as follows:

County Revenue Fund	\$ 31,749.22
Long Term Capital Outlay	\$ 1,488.00
County Building Fund	\$ 1,818.41
Ditch Fund	\$ 2,388.80
Taxes and Penalties Fund	\$ 7,161.18
Road & Bridge Fund	\$ 89,183.41
Waste Abatement/SCORE	\$ 1,888.01
Landfill Enterprise Fund	<u>\$ 36,432.79</u>
	\$172,109.82

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Commissioner Holmen led discussion regarding an email that was received regarding the deadline for changing to or from the State Auditors and a CPA firm. Consensus of the board is to stay with the State Auditors for one more year.

Commissioner Appel stated that there is a vault frame and door in the transit building and what should be done with it. Consensus of the board is to check with the Historical Society; if they don't want it, put on Minbid to see if it will sell. Appel also asked the board for their thoughts on what should be done with the Building Operations Manager's equipment that is usually stored in the transit building. Currently, a space is being rented for the equipment while the remodeling of the transit building is being done. Consensus of the board is to continue renting the space for a year and look at possibly building a lean-to onto the transit building in 2021.

Commissioner Gravley had some questions on a nuisance property and what can be done. After discussion, Gravley should talk to the Planning and Zoning Technician about updating the ordinance.

Commissioner Stevens reminded the board that the Cottonwood County 150th Anniversary Open House is scheduled for August 18th. Stevens asked if the board wanted to continue with this or cancel the open house. Consensus of the board is to cancel the open house.

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Motion by Anderson, second by Appel, unanimous vote to close the meeting at 11:25 a.m. to discuss the formulation of an offer on parcel 08.016.0020. Individuals present for the closed session were: Commissioners Kevin Stevens, Tom Appel, Norm Holmen, Donna Gravley, Larry Anderson; County Coordinator Kelly Thongvivong; Auditor/Treasurer Donna Torkelson and Kathy Marsh.

Motion by Holmen, second by Anderson, unanimous vote to open the meeting at 11:51 a.m.

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Motion by Anderson, second by Holmen, to make an offer on parcel 08.016.0020 and allow Commissioners Appel and Holmen to negotiate. Voting Aye – Appel, Holmen, Anderson, Stevens. Voting Nay – Gravley. Motion passed.

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There being no further business, the meeting adjourned at 11:54 a.m.

Donna Torkelson, Auditor/Treasurer

Kevin Stevens, Board Chair

Kelly Thongvivong, County Coordinator