

September 21, 2021
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, September 21, 2021 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present in person or via teleconference for all or portions of the meeting were: Commissioners Tom Appel, Donna Gravley, Norm Holmen, Larry Anderson, Kevin Stevens; County Attorney Nick Anderson, County Coordinator Kelly Thongvivong, Auditor/Treasurer Donna Torkelson, Kathy Marsh, David Bucklin, Lee Tapper, Nick Klisch, Jed Rhubee, Jackson County Commissioners: James Eigenberg, Cathy Hohenstein; Jackson County Engineer Tim Stahl, Jackson County Drainage Coordinator Kelly Rasche, Jackson County Drainage Supervisor Dave Macek, Jackson County GIS Specialist Jared Baloun, and Jackson County Auditor/ Treasurer Kevin Nordquist.

Chairman Appel called the meeting to order. Motion by Stevens, second by Gravley, unanimous roll call vote to approve the agenda as amended. Motion by Holmen, second by Anderson, unanimous roll call vote to approve the minutes of the September 7, 2021 regular meeting.

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David Bucklin, SWCD District Technician met with the board to get approval for three Wetland Conservation Act (WCA) applications. Bucklin presented the first WCA – Wetland Boundary and Type application from the Brown-Cottonwood Joint Drainage Authority in regards to a drainage improvement project on joint JD#24. Motion by Gravley, second by Anderson, unanimous vote to approve the Wetland Conservation Act - Wetland Boundary and Type application for Brown-Cottonwood Joint JD#24 Drainage Authority as presented.

Bucklin then presented a WCA – No Loss application from the Brown-Cottonwood Joint Drainage Authority for the drainage improvement project on joint JD#24. Motion by Stevens, second by Holmen, unanimous vote to approve the Wetland Conservation Act – No Loss application for Brown-Cottonwood Joint JD#24 Drainage Authority as presented.

Bucklin presented the third WCA – No Loss application from James Eigenberg to dig a deeper pond on his property that would be connected to the oxbow of the Des Moines river. Motion by Anderson, second by Gravley, unanimous vote to approve the Wetland Conservation Act – No Loss application from James Eigenberg.

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Commissioner Norm Holmen, on behalf of Alex Schultz, presented a revised Floodplain Ordinance for approval. Motion by Holmen, second by Stevens, unanimous vote to approve the Floodplain Ordinance revisions as presented.

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Motion by Holmen, second by Anderson, unanimous vote to allow the County Attorney to renew the Westlaw Contract – Plan A in the amount of \$6,192 annually.

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Donna Torkelson, Auditor/Treasurer, met with the board to review the Sinking Bond Ditch Accounts. Torkelson stated that the State Auditors would like a plan on how the bonds for Judicial Ditches 2, 8, 9, and 25 would be paid off. JD 9 and JD 25 have paid back or are in the process of paying back their debt. JD 2 and JD 8 need

to be addressed. After discussion, Commissioners responsible for JD 2 and JD 8 should meet with the Auditor/Treasurer to get more background information on these ditches.

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Chairman Appel led the discussion on the proposed levy for 2022. Motion by Holmen, second by Gravley, unanimous vote to set the preliminary levy for 2022 at \$11,476,575.00, which is an increase of 3.75% from 2021 and as per state levy limit requirements.

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

Commissioner Appel called the joint meeting between Jackson County and Cottonwood County to order for the purpose of discussing joint JD #40. Commissioner Appel appointed Donna Gravley as joint ditch authority chair. Commissioner Eigenberg appointed Cathy Hohenstein as joint ditch authority vice chair.

Motion by Kevin Stevens, second by Cathy Hohenstein, unanimous roll call vote to approve the agenda.

Nick Klisch, Cottonwood County Public Works Director, informed the ditch authority that there was a washout on 480th Avenue where it crosses joint JD 40 due to the tile being blocked. Klisch asked if the ditch authority would like to replace the tile or abandon the tile and install a forced outlet on the west side of 480th Avenue. Klisch stated a 4' x 6' box culvert will replace the 48" culvert when the road is reconstructed in 2022. Consensus of the joint ditch authority is to temporarily fix the tile this year and then call another meeting to decide more definite plans at a later date.

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

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Jed Rhubee, Public Works Superintendent, on behalf of Paul Johnson, met with the board to get approval to renew the SafeAssure Service Agreement. Rhubee informed the board that there will be a 2% increase for 2022. Motion by Gravley, second by Stevens, unanimous vote to approve the service agreement with SafeAssure for safety consulting and training for 2022 and pay the invoice of \$8,278.84.

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Nick Klisch, Public Works Director, met with the board to get approval of final payments of two projects. Motion by Anderson, second by Holmen, unanimous vote to approve the final contract payment of \$700.00 to Midwest Contracting, LLC on Project 017-599-107 – Bridge L9498 replacement (contract no. 202103).

Motion by Gravley, second by Stevens, unanimous vote to approve the final contract payment of \$700.00 to R & G Construction Co. on Project 017-598-005 – Bridge 93010 replacement (contract no. 202101).

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Holmen, second by Stevens, unanimous vote to hire Brett Nolte as

the Solid Waste Technician on Range 10, Step A (\$19.05) of the 2021 matrix pending successful completion of all hiring requirements.

Discussion was held regarding Cottonwood County’s Policy #360 – Overtime/Compensatory Time. Questions were asked regarding overtime and averaging of hours worked per pay period, After much discussion, consensus of the board is to have the County Coordinator reach out to Ann Goering to get further information.

Thongvivong led discussion regarding if there is interest in an insurance broker for our healthcare since we will be leaving the Minnesota Health Consortium. Consensus of the board is to discuss this in the future.

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Motion by Holmen, second by Anderson, unanimous vote to approve September warrants as follows:

County Revenue Fund	\$ 21,537.41
County Building Fund	\$ 639.05
Ditch Fund	\$ 8,745.82
Agency Fund	\$ 3.86
Road & Bridge Fund	\$ 62,180.17
Waste Abatement/SCORE	\$ 1,200.44
Landfill Enterprise Fund	<u>\$ 50,008.11</u>
	\$144,314.86

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Commissioner Appel led discussion on clarification of the Enterprise Lease Agreements that Public Works and the Sheriff’s Department received at the September 7th meeting. Consensus of the board is that the County Engineer and Sheriff still need to come to the board for approval when leasing a vehicle.

Commissioner Anderson gave an update on the AMC Fall Policy Conference he attended.

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There being no further business, the meeting adjourned at 12:14 p.m.

Donna Torkelson, Auditor/Treasurer

Thomas D. Appel, Board Chair

Kelly Thongvivong, County Coordinator