

February 7, 2023
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, February 7, 2023, at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Larry Anderson, Norman Holmen, Donna Gravley, Tom Appel, County Coordinator Kelly Thongvivong, Auditor/Treasurer Donna Torkelson, Kathy Marsh, Jed Rhubee, Nick Klisch, Ann Goering, Gale Bondhus, David Grev, Jason Purrington, Mitchell Chmielewski, Mike Chepa, and Joel Alvstad. Commissioner Stevens was absent.

Chairman Anderson called the meeting to order. The Pledge of Allegiance was recited. Motion by Holmen, second by Appel, unanimous vote to approve the agenda as amended. Motion by Appel, second by Gravley, unanimous vote to approve the minutes of the January 17, 2023, regular meeting.

* * * *

Motion by Gravley, second by Appel, unanimous vote to close the meeting at 9:03 a.m. pursuant to Minn. Stat. 13D.05 for the Attorney-Client Privilege to discuss a pending grievance. Individuals present for the closed session were: Commissioners Anderson, Appel, Holmen, Gravley; County Coordinator Kelly Thongvivong; Auditor/Treasurer Donna Torkelson, Jed Rhubee, Nick Klisch, Ann Goering, and Kathy Marsh.

Motion by Appel, second by Gravley, unanimous vote to open the meeting at 9:36 a.m.

* * * *

Motion by Holmen, second by Appel, unanimous vote to close the meeting at 9:37 a.m. pursuant to Minn. Stat. 13D.05 for the Attorney-Client Privilege to discuss the following litigation: The Toro Company vs. Cottonwood County. Individuals present for the closed session were: Commissioners Anderson, Appel, Holmen, Gravley; County Coordinator Kelly Thongvivong; Auditor/Treasurer Donna Torkelson, Gale Bondhus, David Grev, and Kathy Marsh.

Motion by Gravley, second by Appel, unanimous vote to open the meeting at 9:42 a.m.

Motion by Gravley, second by Holmen, unanimous vote to hire Ethan Waytas of Nagell Appraisal, Inc. as our expert witness for the two Toro tax court petitions.

* * * *

Jason Purrington, Sheriff, informed the board that Towards Zero Deaths (TZD) has asked Deputy Sheriff Kim Hall to represent the Southwest Region at the Life Savers Conference in April. Purrington stated that TZD will reimburse Cottonwood County for the costs associated with tuition, travel, room and board. Motion by Holmen, second by Gravley, unanimous vote to allow Deputy Sheriff Kim Hall to attend the Life Savers Conference in Seattle, Washington, April 1 -4, 2023.

* * * *

Mitchell Chmielewski, Veterans Service Officer, presented and reviewed a 2022 annual report of the Veterans Service office. Chmielewski also reviewed his plans for 2023.

Chmielewski also led a discussion on office hours and the adjustment he would like to make. Chmielewski proposed office hours of 6:00 a.m. to 4:30 p.m. Monday-Thursday which would accommodate some shift workers but would also move him from a 32 hour/week employee to a 40 hour/week employee. After discussion, Chmielewski was asked to bring back to the February 21 board meeting along with the financial impact.

* * * *

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

Motion by Holmen, second by Appel, unanimous vote to set the 2023 County Ditch assessment interest rate at 2.5%.

Motion by Holmen, second by Appel, unanimous vote to assess JD#10's approximate \$115,000 negative balance to it's landowners over a 3-year period to bring it to a positive balance due to the buffer strip payout after the 2022 redetermination of benefits.

Motion by Anderson, second by Gravley, unanimous vote to assess JD#31's approximate \$50,785 negative balance to it's landowners over a 2-year period to bring it to a positive balance.

Motion by Holmen, second by Gravley, unanimous vote to amend JD#1's 2023 ditch levy to \$89,000.

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

* * * *

Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Gravley, second by Holmen, unanimous roll call vote to adopt resolution 23-02-07 "Endorsing the efforts of the Community Supervision Work Group and urging the legislature to pass a new funding formula and significant appropriation during the 2023 legislative session." (Resolution is on file in the County Coordinator's office)

Motion by Holmen, second by Appel, unanimous vote to approve Fiscal Host/ Agent Agreement between Des Moines Valley Health and Human Services (Fiscal Host) and the Southwestern Minnesota Adult Mental Health Consortium consisting of counties of Rock, Nobles, Jackson, Pipestone, Cottonwood, Redwood, Yellow Medicine, Renville, McLeod, Lac Qui Parle, Chippewa, Big Stone, Swift, Kandiyohi, Meeker, Lincoln, Lyon, and Murray (collectively the Consortium).

Motion by Appel, second by Gravley, unanimous vote to move Brandon Rivera to permanent full-time status as a Jailer/Dispatcher effective February 8, 2023.

Motion by Appel, second by Holmen, unanimous vote to accept the resignation submitted by Caden Wiens, Jailer/Dispatcher, effective January 18, 2023, with appropriate payout of benefits.

Motion by Gravley, second by Appel, unanimous vote to approve internal posting for a full-time Jailer/Dispatcher, January 18th – 31st.

Motion by Holmen, second by Gravley, unanimous vote to promote Rebekah Ellingson to full-time Jailer/Dispatcher position effective February 13, 2023.

Motion by Holmen, second by Anderson to accept resignation from Meridee Paulson, Deputy Auditor/Treasurer, effective March 31, with appropriate payout of benefits and accept resignation from Michelle Baerg, Deputy Auditor/Treasurer, effective February 14, with appropriate payout of benefits and to pay Paulson regular hours for January 27 – February 3 and to pay Baerg regular hours for January 26 – February 3. Voting Aye – Appel, Holmen, Anderson. Voting Nay – Gravley. Motion passed.

Motion by Gravley, second by Holmen, unanimous vote to post internally and advertise for the two Deputy Auditor/Treasurer vacant positions.

Thongvivong informed the board that Mark Schenk, Buildings Operations Manager, received paperwork for filing for restitution in regards to the Courthouse break-in. Motion by Gravley, second by Appel, unanimous vote to allow the Board Chair to sign the Affidavit of Restitution for damages at the Courthouse stemming from the break-in on October 8, 2022, and allow the County’s Attorney’s office to handle the issue.

Thongvivong informed the board that the carpet invoice from Hammers for carpeting in the Courtroom was \$224.28 higher than the approved quote due to the Building Operations Manager requesting an additional box of carpet squares for replacements, if necessary. Motion by Holmen, second by Appel, unanimous vote to approve the additional amount of \$224.28 for carpet squares for the Courtroom.

* * * *

Motion by Holmen, second by Gravley, unanimous vote to approve February warrants, as follows:

County Revenue Fund	\$ 14,605.50
Long Term Capital Outlay	\$ 815.00
County Building Fund	\$ 595.00
Ditch Fund	\$ 275.34
Road and Bridge Fund	\$ 57,332.08
Waste Abatement/Score Fund	\$ 260.00
Landfill Enterprise Fund	<u>\$ 12,349.56</u>
	<u>\$ 86,232.48</u>

* * * *

Commissioner Anderson gave a Broadband update and stated that Commissioner Holmen and himself attended the Connect Minnesota Conference in Prior Lake.

Chairman Anderson appointed Norm Holmen as an alternate to the Cottonwood Middle Minnesota River 1W1P.

Commissioner Gravley asked the board to approve the Recorder’s office purchasing two cameras in the amount of \$170.00. After discussion, motion by Gravley, second by Holmen, unanimous vote to allow the Recorder’s Office to purchase two cameras for monitoring outside and inside the office.

Commissioner Holmen updated the board regarding the new highway shop and a business called Contegrity Group that has been used by several counties in the state. Holmen stated that Contegrity Group would handle the bid letting, shop plans, and would have a construction manager that would be on site. Consensus of the board is to do further research on this company.

Commissioner Appel led a short discussion on the City of Windom contract that the County Attorney canceled.

Commissioner Appel informed the board that the SWCD office may come to a future meeting to request money from the buffer funds for different conservation projects.

* * * *

Motion by Gravley, second by Holmen, unanimous vote to approve the 2023 budget as it was presented at the January 17 meeting.

Commissioner Appel requested a review of the final 2022 budget by category and also asked that a look at all the financials (including landfill loan, ARP funds, etc) be done at the next meeting on February 21.

* * * *

There being no further business, the meeting adjourned at 11:13 a.m.

Donna Torkelson, Auditor/Treasurer

Larry Anderson, Board Chair

Kelly Thongvivong, County Coordinator