

May 16, 2023
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 16, 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, Tom Appel, Norm Holmen, Kevin Stevens, Donna Gravley, County Attorney Nick Anderson, County Coordinator Kelly Thongvivong, Auditor/Treasurer Donna Torkelson, Kathy Marsh, Kelly Smith, Jed Rhubee, Gale Bondhus, David Grev, Simoine Bolin, Elizabeth Hoffman, Kari Hanson, and Joel Alvstad.

Chairman Anderson called the meeting to order. The Pledge of Allegiance was recited. Motion by Gravley, second by Stevens, unanimous vote to approve the agenda as amended. Motion by Holmen, second by Appel, unanimous vote to approve the minutes of the May 2, 2023, regular meeting. Motion by Stevens, second by Gravley, unanimous vote to approve the minutes of the May 3, 2023, special meeting.

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Kelly Smith, Director of Information Systems, met with the board to discuss a few items. Smith stated that he would like to begin the process of separating the law enforcement computer system for the rest of the county. Smith presented a state bid from SHI for the purchase of three servers. Motion by Appel, second by Gravley, unanimous vote to accept the state bid from SHI for the purchase of three Lenovo servers in the amount of \$32,370.

Smith stated that he will need to purchase Windows Datacenter 2022 for the new Law Enforcement servers. Smith presented a state bid from SHI in the amount of \$42,912 and stated that this amount will be paid in three annual payments. Motion by Stevens, second by Holmen, unanimous vote to accept the state bid from SHI for Windows Datacenter Software in the amount of \$42,912 and paid over three years as follows: 2023 - \$13,608, 2024 - \$14,652, and 2025 - \$14,652.

Smith informed the board that the Parks Department would like to purchase cameras for Talcot Park. Jed Rhubee, Public Works Superintendent, stated that he would like cameras around the park, especially at the entry station. Motion by Appel, second by Gravley, unanimous vote to allow the Parks Department to purchase four cameras for Talcot Park.

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Larry Anderson, Commissioner, presented on behalf of Nick Klisch, Public Works Director, a Construction Cooperative Agreement between Germantown Township, Cottonwood County and Redwood County. Anderson stated that due to safety issues with the intersection at 475th Avenue, Germantown Township would like to reconstruct the intersection. Motion by Holmen, second by Appel, unanimous vote to approve the Construction Cooperative Agreement Between Germantown Township and Redwood County and Cottonwood County and allow the Board Chair to sign.

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Tom Appel, Commissioner, presented on behalf of Alex Schultz, Planning and Zoning Technician, two Conditional Use Permits for approval. Appel presented a Conditional Use Permit applied for by Knife River to operate a portable hot-mix

asphalt plant in Amboy Township, Section 12. Motion by Appel, second by Stevens, unanimous vote to approve the Conditional Use Permit submitted by Knife River to operate a portable hot-mix asphalt plant in Amboy Township with the following conditions: (1) Be compliant with Cottonwood County Zoning Ordinance #28 and #36; (2) Shall obtain all necessary Federal, State, and Local permits and fees; (3) During construction have a form of waste collection; (4) Follow the MnDOT signage rules and regulations as well as truck routes approved by road authority; (5) Maintain erosion controls during operation; (6) Permit shall expire on November 30, 2023; (7) Truck traffic be restricted to between West side of Quarry and Highway 71; and (8) Road restored to its original condition from the start of operation of the Asphalt Plant.

Appel presented a Conditional Use Permit applied for by Elmendorf Hutterian Brethren to make modifications to the original site plan in Mountain Lake Township, Section 25. Motion by Holmen, second by Appel, unanimous vote to approve the Conditional Use Permit submitted by Elmendorf Hutterian Brethren to make modifications to the original site plan in Mountain Lake Township with the following conditions: (1) Be compliant with Cottonwood County Zoning Ordinance #28; (2) Shall obtain all necessary Federal, State, and Local permits and fees; (3) During construction have a form of waste collection; (4) 100' x 106' School Addition; (5) 34' x 60' Single family home; (6) 16' x 80' Cabin replacement; (7) two 40' x 126' two-bedroom duplexes; and (8) 86' x 323' Community Center.

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Motion by Gravley, second by Stevens, unanimous vote to close the meeting at 9:25 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 Larry Anderson, Tom Appel, Norm Holmen, Kevin Stevens, Donna Gravley; County Attorney Nick Anderson, County Coordinator Kelly Thongvivong; Auditor/Treasurer Donna Torkelson, Kathy Marsh, Gale Bondhus, and David Grev.

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

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Paul Johnson, Emergency Management Director, met with the board to discuss declaring a State of Emergency due to the rain on May 12 – 14, 2023. Johnson stated that the County has incurred approximately \$12,000 in expenses and that does not include the townships. Motion by Holmen, second by Gravley, unanimous roll call vote to adopt resolution 23-05-16 “Resolution Declaring a State of Emergency.” (Resolution is on file in the County Coordinator’s Office.)

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Gravley, second by Holmen, unanimous vote to move Dylan Oeltjenbruns, Ditch Inspector, to permanent full-time status effective May 28, 2023, after successful completion of his 6-month probationary period.

Motion by Stevens, second by Appel, unanimous vote to move Juli Oberg-Speckmeier, Legal Secretary, to permanent full-time status effective June 5, 2023, after successful completion of her 6-month probationary period.

Thongvivong presented the Redwood-Cottonwood Rivers Control Area (RCRCA) Joint Powers Agreement renewal. Thongvivong stated that the only change was the dates. Motion by Anderson, second by Holmen, unanimous vote to approve the Redwood-Cottonwood Rivers Control Area Joint Powers Agreement effective July 1, 2023, to June 30, 2025, and to allow the delegate to sign on behalf of the county.

Thongvivong informed the board that she received a follow-up email from AMC regarding the proposed National Center for Public Lands Counties. Thongvivong stated that because Cottonwood County is considered a public lands county for the purpose of distributing LATCF dollars, a request in the amount of \$1,000 is being requested over two years. No action was taken.

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Motion by Gravley, second by Stevens, unanimous vote to approve May warrants, pending clarification of the candy expense, as follows:

County Revenue Fund	\$ 19,977.71
Ditch Fund	\$ 5,936.27
Road and Bridge Fund	\$ 15,932.10
Waste Abatement/SCORE	\$ 1,321.88
Landfill Enterprise Fund	\$ 14,903.67
	\$ 58,071.63

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Elizabeth Hoffman, Plum Creek Library Director, and Kari Hanson, Windom Librarian, met with the board to give an update on the Plum Creek Library System and make their annual funding request of \$3,250 for 2024.

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Commissioner Appel gave a Public Works update and touched on the process for bonding.

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There being no further business, the meeting adjourned at 10:24 a.m.

Donna Torkelson, Auditor/Treasurer

Larry Anderson, Board Chair

Kelly Thongvivong, County Coordinator