

July 18, 2023  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, July 18, 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, Nick Klisch, Kyle Pillatzki, Mike Meeks, Dylan Oeltjenbruns, Steve Nasby, Justin Jacobs, Dominic Jones, and Joel Alvstad.

Chairman Anderson called the meeting to order. The Pledge of Allegiance was recited. Motion by Stevens, second by Appel, unanimous vote to approve the agenda as amended. Motion by Holmen, second by Gravley, unanimous vote to approve the minutes of the July 5, 2023, regular meeting.

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Larry Anderson, Commissioner, led discussion on broadband in the county and presented a Memorandum of Understanding (MOU) to establish a non-binding relationship between Cottonwood County and Federated REA for the purpose of advancing the project of providing fiber to the premise of residents and businesses within the County that are deemed unserved or underserved. Anderson stated that the cost for consulting work could cost up to \$70,000 but is needed for the grant process. After much discussion, motion by Gravley, second by Holmen, unanimous vote to approve the MOU for Cottonwood County Broadband Fiber to the Premise Buildout between Cottonwood County and Federated Rural Electric Association, allow board chair to sign, and pay expenses from the Local Assistance and Tribal Consistency Fund.

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Nick Anderson, County Attorney, presented for review a Cannabis Ordinance that he drafted and the Cannabis Committee agreed upon. Donna Gravley, part of the Cannabis Committee, stated that the committee would like to have 2 public hearings – one in the morning and one in the evening, so all members of the public could attend. Gravley also stated that the committee would like to put on an educational session before each of the hearings. After discussion, motion by Gravley, second by Anderson, unanimous vote to allow the Cannabis Committee to set public hearing dates regarding the Cannabis Ordinance.

Anderson led a short discussion regarding the septic system at the N71 Office Building (Church) being non-compliant. Motion by Gravley, second by Stevens, unanimous vote to abandon the existing septic system at the N71 Office Building (Church).

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Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, met with the board to discuss a few items. Pillatzki presented three quotes for the purchase of a Crawler Loader for the landfill. Quotes are as follows: American State Equipment (ASE) – Liebherr LR 636 - \$397,435; Ziegler Cat – Caterpillar 963 Track Loader - \$480,021.15; John Deere – John Deere 755K - \$392,032.56. Motion by Stevens, second by Appel, unanimous vote to purchase the Liebherr LR 636 Crawler Loader from ASE in the amount of \$397,435. Pillatzki stated that this will be

a 2024 expense.

Pillatzki informed the board that Muecke Sand and Gravel would like to lease the small portion of land across from the Landfill. Pillatzki stated that a lease will be drafted and brought to the board but at this time he needs a lease rate. Motion by Gravley, second by Holmen, unanimous vote to set a land lease rate of \$200 per acre, for three years, for the parcel of land on the West side of County Road 13 across from the landfill.

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Nick Klisch, Public Works Director, informed the board that when contracting with the architect for the Public Works building, he had originally left out the cold storage building, material storage building, and the fueling station, as he had planned to design them himself. Klisch stated that he has now reconsidered this decision and would like to amend the architect's contract to include them. The increase in cost would be \$29,200. Motion by Appel, second by Stevens, unanimous vote to approve the Confirmation for Request for Engineering Services with Widseth, dated July 11, 2023, in the amount of \$29,200.

Motion by Appel, second by Holmen, unanimous vote to approve \$9,500 to pay for additional services from Contegrity, Project Manager, due to the additional buildings.

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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.

Donna Torkelson, Auditor/Treasurer, and Dylan Oeltjenbruns, Ditch Inspector, informed the board that many of the county ditches have not been looked at in many years, some over 100 years, and that they would like to have Redetermination of Benefits done on the ditches to get more accurate information. Torkelson stated that they have selected six ditches to start with and would have H2Over Viewers complete three and the Moldestad Group complete three so that a comparison of information provided and cost could be done. After much discussion, motion by Gravley, second by Appel, unanimous vote to hire H2Over Viewers to complete Redetermination of Benefits on County Ditch #20 and County Ditch #30. The board also asked Torkelson and Oeltjenbruns to send letters to the landowners informing them of the Redetermination of Benefits and that the reason is due to age of the last determination.

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

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Holmen, second by Gravley, unanimous vote to move Brooklyn Paulson, Jailer/Dispatcher, to permanent part-time status effective July 18, 2023.

Motion by Stevens, second by Gravley, unanimous vote to move Nik Samuelson, Heavy Equipment Operator, to permanent full-time status effective July 24, 2023.

Motion by Holmen, second by Stevens, unanimous vote to accept the retirement resignation from Nancy Macgregor, full-time Chief Deputy Recorder, with her last working day being January 2, 2024, and using any remaining vacation after that day.

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Motion by Holmen, second by Appel, unanimous vote to approve July warrants as follows:

County Revenue Fund	\$ 15,186.74
Long Term Capital Outlay	\$ 44,771.64
Ditch Fund	\$ 6,959.28
Taxes and Penalties Fund	\$ 250.00
Road and Bridge Fund	\$ 84,938.69
Waste Abatement/SCORE	\$ 1,833.00
Landfill Enterprise Fund	<u>\$ 92,849.85</u>
	\$246,789.20

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Commissioner Gravley asked for an update on Sand Creek. County Attorney Anderson stated that more meetings are needed due to scheduling conflicts. Anderson also stated that if he gets a summary when the meetings are completed, he will share with the Commissioners.

Commissioner Holmen informed the board that there are two CPT Agreements that need approval, a Hosting Agreement and a Professional Services Agreement. Holmen stated that all the same services will be provided but there is a 3% increase. Motion by Holmen, second by Stevens, unanimous vote to approve the CPT Hosting Agreement and Professional Services Agreement with the same services as prior years.

Commissioner Holmen gave an update on the Courthouse Windows. Holmen stated he had a Zoom meeting on July 13th with Dr. Jared Schmidt, Jim Schmidt, and Ryan from the Minnesota Historical Society. Dr. Schmidt will be submitting the grant application by the deadline and we should know if awarded the grant by the end of October, beginning of November.

Commissioner Stevens asked if the board was okay with a glass bookcase in the rotunda to display some items. The board was okay with Kevin proceeding with this.

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There being no further business, the meeting adjourned at 10:51 a.m.

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Donna Torkelson, Auditor/Treasurer

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Larry Anderson, Board Chair

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Kelly Thongvivong, County Coordinator