

March 19, 2024
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 19, 2024, at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting, in person or via MSTeams, were: Commissioners Norm Holmen, Larry Anderson, Tom Appel, Donna Gravley, Kevin Stevens; County Coordinator Kelly Thongvivong, Chief Deputy Auditor/Treasurer Carolyn Rempel, Kathy Marsh, Alex Schultz, Mike Meeks, Mark Schenk, Nick Klisch, Kyle Pillatzki, Kathy Kretsch, Jason Purrington, Jesse Zeig, Melanie Niday, Daryl Heaps, Diane Kruger, Dorothy Fundahn, and Joel Alvstad.

Chairman Holmen 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 Anderson, second by Appel, unanimous vote to approve the minutes of the March 5, 2024, regular meeting.

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Kelly Thongvivong, County Coordinator, informed the board that a meeting was held between herself, the Buildings Operation Manager, and Matt Miller regarding Farmers Market concerns. Thongvivong summarized the discussion that was held.

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Alex Schultz, Planning & Zoning Technician, presented a Conditional Use Permit applied for by L&S Construction Corp. to mine for nonmetallic minerals in Dale Township, Section 30. Motion by Stevens, second by Anderson, unanimous vote to approve the Conditional Use Permit submitted by L&S Construction Corp. to mine for nonmetallic minerals in Dale 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) Bond issuance of \$1,000 per acre (\$15,000); (4) A waste disposal on site during construction; and (5) Come to an agreement with local Road Authority of road maintenance plan.

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Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, met with the board to get approval to purchase a semi-truck and tanker for the Solid Waste Department to haul leachate. Motion by Anderson, second by Stevens, unanimous vote to allow the Solid Waste Department to spend up to \$50,000 on the purchase of a semi-truck and tanker and sell the current tanker to the Highway Department for \$5,000.

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Nick Klisch, Public Works Director, met with the board to discuss a few items. Klisch presented bids for Project 017-599-103, Bridge L6616 replacement. (Bids are on file at the Public Works Department.) Motion by Anderson, second by Gravley, unanimous vote to accept the low bid from Towne & Country Excavating, LLC in the amount of \$170,382.00 for Project 017-599-103.

Klisch then presented bids for Project 017-599-111, Bridge L6579 replacement. (Bids are on file at the Public Works Department.) Motion by Gravley, second by Appel, unanimous vote to accept the low bid from Midwest Contracting, LLC in the amount of \$292,059.95 for Project 017-599-111.

Klisch presented a Public Highway At-Grade Crossing Agreement between Union Pacific Railroad Company and Cottonwood County for approval. Klisch stated that this agreement refers to work that was done on CSAH 27 in Mountain Lake in 2023 and a 20-year maintenance fee. The total cost of the agreement is \$55,867. Motion by Appel, second by Gravley, unanimous vote to authorize the Public Works Director to execute the Public Highway At-Grade Crossing Agreement with Union Pacific Railroad Company on behalf of Cottonwood County.

Klisch informed the board that the Public Works Department had submitted a letter of intent to submit a Spring 2024 Public Land Survey System (PLSS) Monument Grant and said the letter was accepted. Klisch stated that he would like to apply for the PLSS Monument grant for the purposes of surveying and recording section corners for Rose Hill and Amo Townships. Klisch also informed the board that Bolton & Menk has prepared a proposal to establish and certify the corners and has also agreed to assist with submitting the grant application. Motion by Anderson, second by Gravley, unanimous vote to approve the Bolton & Menk, Inc. Proposal to Perform Section Corner Remonumentation in Rose Hill and Amo Townships and allow the Public Works Director to sign, pending receipt of PLSS grant.

Motion by Anderson, second by Stevens, unanimous roll call vote to adopt resolution 24-03-19 authorizing the Public Works Director to apply for the PLSS grant in an amount of \$300,000. (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 number of items. Motion by Gravley, second by Stevens, unanimous vote to move Sara deAvila, full time Corrections Administrative Assistant, to permanent full-time status effective March 20, 2024, after successful completion of her 6-month probationary period.

Motion by Appel, second by Stevens, unanimous vote to appoint Carolyn Rempel to fill the remainder of the elected term of Auditor/Treasurer at the salary of \$95,540.00 effective March 25, 2024, and to payout 100% of all vacation and 20% of all ESST that she has accrued up until March 24, 2024.

Motion by Stevens, second by Anderson, unanimous vote to reimburse Carolyn Rempel a monthly cell phone allowance in the amount of \$60 per month retroactive to February 2024.

Motion by Gravley, second by Stevens, unanimous vote to approve the Chief Deputy Auditor/Treasurer job description that was updated in November 2023 and post internally and advertise simultaneously for the Chief Deputy Auditor/Treasurer position.

Thongvivong stated that she was contacted by DVHHS for additional legal counsel to help with cases that come into conflict for the contracted Cottonwood County Attorney that is helping with DVHHS cases. Motion by Appel, second by Anderson, unanimous vote to allow Chair Norm Holmen to sign the Letter of Understanding and Engagement with Quamstorm & Doering, P.A. Law Firm for conflict cases for Cottonwood County and DVHHS that are not able to be handled by Jackson County Attorney on Cottonwood County's behalf.

Thongvivong summarized the response from Ratwik, Roszak & Maloney, P.A. regarding the Elected Official Health Insurance Policy and the request from

Donna Torkelson. No action was taken.

Motion by Stevens, second by Appel, unanimous vote to approve a \$60 cell phone reimbursement for the position of Highway Office Manager/Accountant effective April 1, 2024.

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Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, Melanie Niday, SEH, Inc., and Daryl Heaps, SEH, Inc., led discussion regarding the Landfill Feasibility Study and answered questions that the board had. Consensus of the board is to hold another feasibility study meeting in May to discuss funding and sources of funding.

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Motion by Appel, second by Stevens, unanimous vote to approve March warrants as follows:

County Revenue Fund	\$ 83,345.48
Long Term Capital Outlay	\$ 7,360.00
Ditch Fund	\$ 5,375.75
Road and Bridge Fund	\$ 51,804.49
Waste Abatement/SCORE	\$ 1,442.16
Landfill Enterprise Fund	<u>\$ 7,259.39</u>
	\$156,587.27

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Commissioner Gravley informed the board that the new A.C.E. Coordinator for Cottonwood County, Stephanie Palmer, started on March 18. Gravley stated that there are some problems with the office space and that there is an open office at the BARC building for rent at \$200 per month. Consensus of the board is for Commissioner Gravley to bring a contract for the office space back to the board for approval.

Gravley also asked that the County Coordinator get quotes for two trees that need to be removed from a tax forfeiture property.

Commissioner Stevens led discussion regarding Greenseam meetings that are being held monthly in Windom and are looking for a county representative.

Motion by Holmen, second by Stevens, unanimous vote to allow Commissioner Appel to attend up to three Greenseam meetings and collect per diems.

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Kelly Thongvivong, County Coordinator, informed the board that we have received three applications for the Assistant County Attorney position and two of the three are also interested in the County Attorney position.

Thongvivong also gave an update on Brown-Nicollet Environmental Health. Thongvivong stated that the process has been started for moving to the State of Minnesota Department of Health. Thongvivong stated that the state will be sending letters to all the food establishments and Jesse Harmon will be personally calling or visiting all of them. Commissioner Gravley stated that Jesse Harmon is currently conducting final visits.

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There being no further business, the meeting adjourned at 11:50 a.m.

Carolyn Rempel
Chief Deputy Auditor/Treasurer

Norman Holmen, Board Chair

Kelly Thongvivong, County Coordinator