

May 7, 2024
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 7, 2024, at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Norm Holmen, Larry Anderson, Tom Appel, Donna Gravley; County Coordinator Kelly Thongvivong, Auditor/Treasurer Carolyn Rempel, Kathy Marsh, Eric Earhart, Todd Hauge, Brad Odegard, Dylan Oeltjenbruns, Alex Schultz, Shanell Schneider, Tiffany Lamb, Dave Grev, Alan Saffert, Nick Klisch, Dave Bucklin, Adrian Matthews, Mike Meeks, Sheila Pierson, Mark Schenk, Kaylene Gohr, Jason Purrington, Tim Evers, Chuck Spaeth, Alex Lax, and Joel Alvstad. Kevin Stevens was absent.

Chairman Holmen called the meeting to order. The Pledge of Allegiance was recited. Motion by Gravley, second by Anderson, unanimous vote to approve the agenda as amended. Motion by Appel, second by Gravley, unanimous vote to approve the minutes of the April 16, 2024, regular meeting.

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Brad Odegard, DOC District Supervisor, and Shanell Schneider, DOC, met with the board to present an updated Comprehensive Plan due to Minnesota Legislative revision and additional statutory requirements. Odegard also answered questions that the board had. Motion by Anderson, second by Gravley, unanimous vote to approve the Cottonwood County Comprehensive Plan as presented.

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Eric Earhart and Todd Hauge, U.S. Fish and Wildlife Service, met with the board to inform them of a proposed wetland easement on approximately 1.4 acres in Lakeside Township, Section 30, owned by Alan and Jody Saffert. Earhart stated that in accordance with a procedural agreement between the DNR and US Fish and Wildlife, a certification for acquisition would need to be signed by the board. Motion by Gravley, second by Appel, unanimous vote to allow the Board Chair to sign the Certification of the County Board of Commissioners in regards to the wetland easement for wildlife habitat protection on property owned by Alan and Jody Saffert in Lakeside Township.

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Tiffany Lamb, Windom EDA Director, stated that she has received a Home Initiative application from Borsgard Construction, LLC for a new, single family home. Lamb stated that all requirements to date have been met so a public hearing date needs to be set. Motion by Appel, second by Anderson, unanimous roll call vote to approve resolution 24-05-07 Calling for a Public Hearing on Proposed Tax Abatement for New Residential Project. (Resolution is on file in the County Coordinator's office.)

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Dave Bucklin, SWCD District Technician, met with the board to ask for \$15,000 in Buffer Enforcement dollars to be used for farmstead windbreaks. Bucklin stated that the SWCD would commit \$10,000 if the county committed \$15,000. Motion by Gravley, second by Anderson, to use \$15,000 from the Buffer Funds for farmstead windbreaks. Voting Aye: Gravley, Anderson. Voting Nay: Appel, Holmen. Motion failed. Commissioner Appel asked Bucklin to research and bring

back verification that buffer funds can be spent on this project and the board will re-consider.

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Alex Schultz, Planning & Zoning Technician, met with the board to get approval of three conditional use permits. Schultz presented a Conditional Use Permit applied for by Mike LaMaack for a structure in shoreland in Lakeside Township. Motion by Anderson, second by Appel, unanimous vote to approve the Conditional Use Permit for a structure in shoreland in Lakeside Township, Section 34, with the following conditions: (1) be compliant with Cottonwood County Zoning Ordinance #28; (2) shall obtain all necessary Federal/State/Local permits and fees; (3) keep a waste receptacle on site during construction; and (4) erosion control measures taken.

Schultz presented a second Conditional Use Permit applied for by Central Specialties for a temporary asphalt plant in Amboy Township. Motion by Gravley, second by Appel, unanimous vote to approve the Conditional Use Permit for a temporary asphalt plant in Amboy Township, Section 12, with the following conditions: (1) be compliant with Cottonwood County Zoning Ordinance #28 and #36; (2) shall obtain all necessary Federal/State/Local permits and fees; (3) keep a waste receptacle on site during construction; (4) cancellation of permit November 30, 2024; (5) hours of hauling 6 a.m. to 9 p.m.; (6) agreement with Local Road Authority on hauling routes.

Schultz presented a third Conditional Use Permit applied for by Ulland Brothers for a temporary asphalt plant in Selma Township. Motion by Anderson, second by Appel, unanimous vote to approve the Conditional Use Permit for a temporary asphalt plant in Selma Township, Section 23, with the following conditions: (1) be compliant with Cottonwood County Zoning Ordinance #28 and #36; (2) shall obtain all necessary Federal/State/Local permits and fees; (3) keep a waste receptacle on site during construction; (4) cancellation of permit November 30, 2024; (5) hours of hauling 6 a.m. to 9 p.m.; (6) agreement with Local Road Authority on hauling routes.

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

Dylan Oeltjenbruns, Ditch Inspector, met with the board to discuss an assessment on Murray-Cottonwood JD #5. After much discussion, Oeltjenbruns should get clarification on how to word a motion and then bring back to the board.

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

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Nick Klisch, Public Works Director, met with the board to present the bids for the 6 electric pick-ups that grant money was received for. Klisch reminded the board that Cottonwood County was leading the project for the following 6 counties: Brown, Cottonwood, Jackson, Martin, Nobles, and Rock. Bids were as follows: Harrison Ford - \$67,648.32 each; Chuck Spaeth Ford - \$66,376.14 each. Klisch reminded the board that the grant would cover 80% of the purchase with each county contributing approximately \$14,000. Klisch also stated there is the possibility that there would be funds left to purchase a 7th pick-up, if approved by MnDOT. Motion

by Gravley, second by Holmen, unanimous vote to award the bid for 6 electric pickups to Chuck Spaeth Ford in the amount of \$66,376.14 each with the 7th pick-up pending MnDOT approval.

Klisch presented bids for the purchase of a new dozer, which is to be used primarily at the landfill. Klisch also stated that the current track loader and dozer would be traded in for the new dozer. Bids are as follows: John Deere - \$204,800.00 less trade-ins \$88,500, for a total of \$116,300; CAT - \$164,504.52 less trade-ins \$93,800, for a total of \$70,704.52; Kamatsu - \$199,995.00 less trade-ins \$39,000, for a total of \$160,995; Case - \$186,888.00 trade-ins \$103,800, for a total of \$83,088. Motion by Anderson, second by Appel, unanimous vote to purchase CAT D3 dozer from Ziegler for \$164,504.52 less \$84,800 for the 963k track loader trade-in and \$9,000 for the 650J dozer trade-in for a total of \$70,704.52.

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Commissioner Tom Appel presented a Professional Design Services Proposal from Widseth for the Courthouse steps. Motion by Appel, second by Anderson, unanimous vote to accept the Professional Design Services Proposal from Widseth in the amount of \$17,000 for the Courthouse east steps.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Gravley, second by Appel, unanimous vote to move David Grev, County Assessor, to permanent full-time status effective May 11, 2024.

Motion by Anderson, second by Appel, unanimous vote to accept retirement resignation from Joel Grams, Heavy Equipment Operator, effective July 31, 2024 with appropriate payout of benefits.

Motion by Appel, second by Gravley, unanimous vote to accept resignation from Jennifer Etchason, part-time Jailer/Dispatcher, effective May 14, 2024, with appropriate payout of benefits.

Motion by Anderson, second by Appel, to offer Kaylene Gohr the Chief Deputy Auditor/Treasurer position at Range 15, Step 5 (\$30.22), to serve a 1-year probationary period, to allow for a \$60/month cell phone allowance and to deny the request for consideration of vacation accruals at the rate of a 14-year employee. Voting Aye: Anderson, Appel, Holmen. Voting Nay: Gravley. Motion passed. Kaylene Gohr was present at the meeting and declined the offer.

Motion by Anderson, second by Appel, unanimous vote to accept the proposal from David Drown Associates, using the Committee Approval Timeline Process, for the Count Attorney job search. The committee will consist of Board Chair, County Coordinator, and Attorney Liaison.

Motion by Gravley, second by Appel, unanimous vote to add the following language to the existing Procurement Policy under Section III General A: Cottonwood County will prevent personal conflict of interest by following 48 CFR sections 52.203-16 and Cottonwood County will follow Contractor Code of Business Ethics and Conduct CFR 52.203-13.

Motion by Appel, second by Holmen, unanimous vote to approve agreement between Cottonwood County and Engan Associates for schematic design services for the Courthouse window replacement, which includes all windows on the lower, main, and upper floors.

Motion by Gravley, second by Anderson, unanimous vote to approve Letter of Understanding from Quarnstrom & Doering, P.A. regarding representation of Des Moines Valley Health & Human Services for Child Support, Paternity, Contempt, and other IV-D matters.

Motion by Appel, second by Gravley, unanimous vote to approve posting and advertising simultaneously for a Deputy Sheriff.

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Motion by Gravley, second by Appel, unanimous vote to approve May warrants as follows:

County Revenue Fund	\$ 53,537.91		
County Building Fund	\$ 1,233.75		
Ditch Fund	\$ 17,302.97		
Road and Bridge Fund	\$ 52,546.29		
Waste Abatement/SCORE	\$ 4,735.81		
Landfill Enterprise Fund	<u>\$ 14,757.58</u>		
	\$144,114.31		
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Commissioner Appel gave an update on the Bond Interview that was held on May 2nd.

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Chairman Holmen led further discussion regarding the Chief Deputy Auditor/Treasurer position. Kaylene Gohr was asked to come back to the meeting for further negotiations. Gohr stated that she was holding firm on asking for Range 15, Step 6 (\$31.36) and wanting the vacation accrual of a 14-year employee. Motion by Anderson, second by Gravley, unanimous vote to promote Kaylene Gohr to Chief Deputy Auditor/Treasurer effective May 20, 2024, at wage \$31.36 (Range 15, Step 6), to serve a 1-year probationary period, to allow for a \$30 cell phone reimbursement, and to accrue vacation time at the rate of a 14-year employee.

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There being no further business, the meeting adjourned at 12:04 p.m.

Carolyn Rempel, Auditor/Treasurer

Norman Holmen, Board Chair

Kelly Thongvivong, County Coordinator