

August 7, 2012
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, August 7, 2012 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Norm Holmen. Present for all or portions of the meeting were: Commissioners Norm Holmen, John Oeltjenbruns, Jim Schmidt, Tom White, Ron Kuecker; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Holli Arp, Kathy Kretsch, Linda Fransen, Gale Bondhus, Andy Geiger, Ron Gregg, Klay Wallinga, Wig Turner, Kurt Deter, Paul Turner, Margaret McDonald, Jim Thomas and Dominic Jones.

Motion by Oeltjenbruns, second by White, unanimous vote to approve additions to the agenda. Motion by White, second by Schmidt, unanimous vote to approve the minutes of the July 24, 2012 meeting as amended. Motion by Oeltjenbruns, second by Schmidt, unanimous vote to approve the minutes of the July 27, 2012 emergency meeting.

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Holli Arp, University of Minnesota Extension, met with the board to present a Memorandum of Agreement for 2013-2015 that was recommended by the Extension Committee for board approval. Arp reported that the AMC Extension Committee agrees to a 3-year MOA pricing structure of 1% increase in calendar year 2013, 1.5% increase in calendar year 2014 and 1.5% increase in calendar year 2015. Arp also presented the 2013 proposed budget for the Extension program. Motion by White, second by Oeltjenbruns, unanimous vote to approve Memorandum of Agreement for 3 years.

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Motion by Kuecker, second by Oeltjenbruns, unanimous vote to adopt Policy Number 470 "Request for Department Purchases" as presented as the 30-day posting period for comments has expired. No comments were received.

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It was reported that the air conditioning unit at Family Services failed last week and needed to be replaced. Chairman Holmen authorized Bob Pankratz to replace the air conditioning unit as well as the corresponding furnace as the furnace was 27 years old and was low efficiency. Two quotes (including a/c and furnace units) were received as follows: Schwalbach Hardware - \$8,974 and Elite Mechanical - \$7,659.74. Motion by Oeltjenbruns, second by Kuecker, unanimous vote to accept the quote in the amount of \$8,974 from Schwalbach Hardware as their units were higher efficiency.

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Kathy Kretsch, County Recorder, met with the board to present the 2013 budget proposal for the Recorder's Office. Kretsch also provided a report pursuant to Minnesota Statute regarding the delivery of documents. Compliance with this statute is what allows the board to spend the monies collected by the Recorder's

Office. Kretsch reported that she is hoping to set a goal and target date for accepting electronic recordings as of January 1, 2013.

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Two quotes for the purchase of a new copy machine at the Cottonwood-Jackson CHS Windom office were presented as follows: Advanced Systems, Inc. - \$8,088 and Marco - \$8,641. After much discussion, the board agreed to request further information from CHS in regards to their particular office needs.

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Nick Anderson, County Attorney, met with the board to present the 2013 proposed budget for the County Attorney's Office. Further discussion was held regarding the new MCAPS4 software that the County Attorney's Office would be using in the near future and the potential need for a new firewall for this purpose. It was suggested that Anderson, Sheriff Purrington and Greg Walsh be involved in further discussions with the board before proceeding with any firewall purchases.

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Motion by White, second by Oeltjenbruns, unanimous vote to recess as the County Board and to convene as the Ditch Authority to hold a public hearing for the abandonment of JD #4. Kurt Deter, representatives for the landowners, was present to give an update regarding the system. Deter reported that the benefits have already been agreed upon by the private landowners of the system. Motion by White, second by Oeltjenbruns, unanimous vote to approve the petition of abandonment of JD #4 in Lakeside Township.

It was reported that the Engineer's Preliminary Report for JD #31 has been completed and received. Motion by Kuecker, second by Schmidt, unanimous vote to set a public hearing for JD #31 for September 25th at 1:30 p.m. during the regular board meeting.

Motion by White, second by Schmidt, unanimous vote to recess as the Ditch Authority and to re-convene as the County Board.

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Kelly Thongvivong, Transit Director, met with the board in regards to a recent proposal for consideration of the consolidation of the Cottonwood County Transit System with Western Community Action. A draft copy of a Transportation Agreement was presented to the board for their review. The agreement accurately addresses some of the main concerns that were discussed during the exploration of the consolidation of the two transit systems. Motion by White, second by Schmidt, unanimous vote to enter into resolution and agreement with Western Community Action as presented for the consolidation of transit services with the actual merge to take place on January 1, 2013. All administration, dispatching and operations, plus other policy requirements will be the responsibility of Western Community Action at that time. The County will provide to WCA financial support and involvement in the operation of public transportation within the Cottonwood County service area.

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Motion by White, second by Schmidt, unanimous vote to recess as the County Board and to re-convene as the Ditch Authority to hold a public hearing for

the partial abandonment of Ditch #18. Motion by Kuecker, second by White, unanimous vote to approve the partial abandonment of Ditch #18 on the Pete Peschel property north of Storden.

Motion by Oeltjenbruns, second by Schmidt, unanimous vote to adjourn as the Ditch Authority and to re-convene as the County Board.

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Update was given regarding an MCIT rebate for 2012 that will be received sometime in November as follows: \$73,401 workmen's compensation and \$108,864 property/casualty for a total of \$182,265. Commissioner White asked for a report showing the breakdown of the percentages that each department will expect to receive from the rebate.

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Commissioner White gave an update regarding a meeting he recently attended as a commissioner liaison to the Environmental Office. Representatives from both Cottonwood and Jackson counties were involved in the meeting to discuss the recent vacancies in the Jackson County Environmental/Planning & Zoning Office.

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Discussion was held regarding a septic system that is currently not in compliance as a result of improper design. The landowner has the property for sale and has had multiple offers but as a result of the non-compliant system is unsure what to tell potential buyers. A claim as well as an estimate for the cost of repair of the system was sent to MCIT for their review.

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Linda Fransen, Historical Society Director, and Margaret McDonald met with the board to give an update and to present a request for a 2013 appropriation from the county.

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County Assessor Gale Bondhus met with the board to present the 2013 budget proposal for the Assessor's Office. Bondhus also presented 2013 assessment proposed contract rates for the board's review. Motion by White, second by Schmidt, unanimous vote to approve 2013 assessment proposed contract rates for Carson, Midway and Southbrook townships.

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Planning & Zoning/Parks/Landfill Administrator Andy Geiger met with the board to discuss several items. Geiger requested approval for Roger Ambrose, Landfill Operator, to attend training on September 6th in Shakopee to keep his landfill operator license up to date. Motion by Kuecker, second by Oeltjenbruns, unanimous vote to allow Ambrose to attend the training at a cost of \$240 plus mileage if necessary.

Geiger gave an update regarding the leachate hauling to the St. James Waste Water Treatment Plant. It was reported that three more loads would be hauled there this week. The board authorized Geiger to make a deal with the St. James WWTP for the cost of hauling leachate to their plant.

Two quotes for the monitoring well on the demo cell at the landfill were presented as follows: SEH - \$18,425 and Wenck - \$24,364. Motion by White, second by Oeltjenbruns, unanimous vote to go along with Geiger's recommendation and to accept the quote in the amount of \$18,425 and to hire SEH for demo cell monitoring at the landfill.

Geiger reported that he recently received a request from the DNR to do some dove trapping and banding at the landfill property.

An extension of the Solid Waste Plan as the SW Regional Solid Waste Commission works towards developing a plan for the entire region was requested by Geiger. The county's individual plan would be due by December 16, 2013 if the county were to choose not to be a part of this group. Motion by Kuecker, second by White, unanimous vote to approve an extension of the Solid Waste Plan.

Geiger requested that the board allow him to implement a change fund in the amount of \$100 for the Environmental Office. This will enable the office to make change for camping fees, radon kits, setback permits, etc. Motion by Kuecker, second by White, unanimous vote to honor the request for a \$100 change fund for the Environmental Office.

Geiger reported that he received a quote in the amount of \$10,000 from Hanson's Well Drilling for the sealing of the well at Talcot Park. Further discussion was held regarding more information that Geiger received after doing some more research. Geiger will communicate with the Minnesota Department of Health (MDH) regarding this matter.

Geiger reported that park staff is currently working on ADA requirements for the bathrooms at South Dutch and Red Rock Falls parks. These updates should be completed by the end of the week.

Motion by Kuecker, second by Schmidt, unanimous vote to allow Geiger permission to obtain quotes for a pull behind sprayer for the Parks Department.

Brief discussion was held regarding the dock at Double Lake. The County Attorney will be reviewing the contract.

The board asked for clarification regarding whether or not Geiger signs off on septic system installations. Geiger reported that he does not sign off on anything having to do with septic systems. Geiger did agree to take the lead on an issue involving a non-compliant septic system due to the fact that he is a county employee.

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County Engineer Ron Gregg met with the board to discuss several items. Gregg asked that the board review the sub-lease of the Thomas Property between Red Rock Rural Water and Cottonwood County for the purpose of mining gravel. Dominic Jones, Red Rock Rural Water, was present to answer questions. There were some dates that were tentatively changed in the sub-lease. Jones reported that the attorney for RRRW was currently reviewing the contract, which will be presented to the RRRW board at their meeting on Thursday. No mining can occur on the property until it is cleaned up. The deadline for the cleanup is September 1, 2012. Further discussion will be held at the next board meeting.

Gregg reported that public opening and reading of bids for the crushing of gravel of the Thomas Pit has been postponed until August 14th as changes to the bid form were recently made.

It was determined that Ron Gregg and Dominic Jones will be the individuals responsible for making a decision on when an advancement of up to \$25,000 for gravel royalties can be made to Jim Thomas as per contract.

Gregg requested board approval to purchase items for the setup of the newly purchased pickup trucks. The cost for each unit is as follows: Unit 2 - \$2,080.85, Unit 15 - \$1,816.96, Unit 11 - \$1,397.49. Motion by Kuecker, second by Schmidt, unanimous vote to allow the items to be purchased and mounted on 3 new Ford pickup trucks as presented.

It was reported that all old federal projects are now complete and final notices have been received from MnDOT.

Gregg asked for approval and signature of the contract between Cottonwood County and Minion Excavating for the frost layer on the newly constructed cell no. 7. Motion by Kuecker, second by White, unanimous vote to approve the contract contingent upon approval from MPCA to move forward. After MPCA gives the approval to proceed, Minion Excavating will have 30 calendar days to complete the project.

Discussion was held regarding the new Engineer Tech/Signman position. It was noted that the intent to post internally for this position was failed to be included in the meeting minutes previously. Motion by Schmidt, second by White, unanimous vote to allow for retroactive action that would have been allowed for posting internally for this position.

Gregg reported that Jed Rhubee was the only internal applicant to apply for the position of Engineering Tech/Signman. An interview was recently conducted by Gregg, Chairman Holmen and Kelly Thongvivong, HR Specialist. Gregg recommended the hire of Jed Rhubee to fill the position of Engineering Tech/Signman at Step 8 of the matrix and to begin immediately. Thongvivong gave her thoughts in regards to Gregg's recommendation and also offered a recommendation of her own after further review of the placement of other employees within the Department on the existing matrix along with their years of experience with the county. Thongvivong proposed beginning Rhubee on Step 5 of the matrix and after successful completion of a 6-month probationary period would be given a $\frac{3}{4}$ step (2.25%) increase at that time. Further discussion was held regarding the new position as well as Rhubee's current position as HEO. Motion by White, second by Oeltjenbruns to offer the position to Jed Rhubee and to go along with Thongvivong's recommendation as presented and to start him on Step 5 of the matrix. Motion by Kuecker, second by Schmidt to make an amendment to the motion and to offer the position to Jed Rhubee but to start him on Step 6 of the matrix. Voting on the amended motion was as follows: Aye – Kuecker and Schmidt. Nay – Oeltjenbruns, White and Holmen. Motion failed. Voting on the original motion to offer the position to Jed Rhubee and to go along with Thongvivong's recommendation to start him on Step 5 of the matrix was as follows: Aye - White,

Oeltjenbruns, Holmen and Kuecker. Nay – Schmidt. Motion carried. Jed Rhubee will be offered the Engineering Tech/Signman position and will be asked to continue blade operation as needed for summer construction or until a suitable replacement can be found. Pending his approval of the job offer, Rhubee could begin his new position effective August 16th.

Motion by Oeltjenbruns, second by Kuecker, unanimous vote to allow Gregg to post internally and advertise for a Heavy Equipment Operator position contingent upon Jed Rhubee’s acceptance of the Engineering Tech/Signman position.

Discussion was held regarding the recent fine at the county landfill. Gregg provided an explanation of the administrative penalty received for a violation at the landfill. The original fine was \$5,000 but was reduced to \$500.

Gregg presented his responses to the board regarding questions that Commissioner White had previously asked that Gregg respond to. These questions related to the administrative penalty at the landfill, highway department funding, a bill from Minion Excavating and a question regarding the gravel mining exploration of the Thomas Property and how that was handled.

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There being no further business, the meeting adjourned at 3:20 p.m.

Jan Johnson, Auditor/Treasurer

Norm Holmen, Board Chairman

Kelly Thongvong, Executive Assistant