

SYNOPSIS OF COUNTY BOARD MEETING
August 18, 2009

Members present: Seeboth, Berg, Dove, Lochner, and Potter along with County Administrator Enter and Assistant County Attorney Hinnenthal.

M/Lochner, S/Berg, to accept the Minutes of 8-4-09 and authorize publication of the Synopsis of same, carried.

M/Potter, S/Dove, to authorize the payment General Government claims in the amount of \$212,560.63, carried.

M/Lochner, S/Berg, to schedule a Public Hearing for 9:30 AM on 9-15-09 for the purpose of setting assessments/liens as revised to Brown County drainage ditches that have deficit balances or insufficient funds in their accounts for proper maintenance and repair, carried.

M/Berg, S/Potter, to approve the request from the Hermann Victory Celebration for a County Road/Street closure of CSAH 13 (Center Street) between Summit and Highland in New Ulm on 9-19-09 for approximately 30 minutes at dusk in accordance with New Ulm City Council Resolution No. 09-73, carried, with Seeboth dissenting.

M/Lochner, S/Potter, to authorize the purchase of a Ford Escape XLT from Spaeth Ford in the state contract amount of \$20,204.00, including trade in of a 1995 GMC ½ ton pickup (Sonoma pickup from the Maintenance Dept.) for \$304.00, plus sales tax of \$1,368.13, for a total amount of \$21,268.13, carried. It should be noted Highway Unit 23 (1995 GMC ½ ton pickup) will replace the County Maintenance Sonoma pickup that will be traded in.

M/Berg, S/Dove, to authorize the purchase of a used 18 foot Towmaster trailer (for hauling a skid steer) from Peterson Motors in the amount of \$4,995.00, less trade in of a 1978 Fairmont trailer in the amount of \$745.00, plus sales tax in the amount of \$292.19, for a total amount of \$4,542.19, carried. Additional quotes were received from Peterson Motors for a 20 foot Trailmaster trailer; and a 18 foot McLander Trailer; and from Crysteel Truck Equipment for a 18 foot Cashman Trailer and a 18 foot Midsota trailer.

M/Lochner, S/Potter, to set a bid letting date for 9-17-09 at 10:00 AM in the Commissioners Room of the Brown County Courthouse for the SAP 08-603-20 Bridge Repair work on CSAH 3 over the Cottonwood River, carried.

M/Lochner, S/Potter, to set a Public Hearing for 9:00 AM on 9-8-09 for the purpose of reviewing changes/revisions to the Floodplain Section of the Brown County Zoning Ordinance as recommended by the Brown County Planning Commission and required by the MN Department of Natural Resources and the Federal Emergency Management Agency, carried.

M/Berg, S/Lochner, to approve the Emergency Management Performance Grant (EMPG) #2009-EMPG-00391 in the amount of \$11,235 for Federal funding assistance through the MN Div. of Homeland Security and Emergency Management for federal fiscal year 2009 for the Brown County Emergency Management Program and authorize the Board Chairman and Emergency Management Director to sign same on behalf of Brown County, carried.

M/Potter, S/Lochner, to approve Conditional Use Permit (CUP) App. #C-00220 by Dohn Schroepfer on property described as part of the SW4 of SE4, Sec. 35-T109N-R33W, Leavenworth Twp., Brown County for the purpose of renewing existing CUP #7693 allowing continued use of hog finishing operation of up to 624 AU (2080 head) in the A-1 Agricultural Protection Zoning District, with eight (8) conditions listed, carried.

M/Berg, S/Lochner, to approve CUP App. #C-00224 by Daniel Kuck on property described as SE4 of NE4 and the N2 of SE4, Sec. 30-T109N-R30W, Cottonwood Twp., Brown County for the purpose of renewing existing CUP #7761 allowing continued use of hog finishing operation of up to 600 AU (2000 head) in the A-1 Agricultural Protection Zoning District, with seven (7) conditions listed, carried.

M/Potter, S/Lochner, to approve CUP App. #C-00223 by Gary & Patricia Roiger on property described as SW4 & W 4 acres of SE4, Sec. 3-T108-R35 of Stately Twp., Brown County, for the purpose of renewing CUP C-00133 for continued use of gravel mining operation, processing including crushing and temporary hotmix plant in the A-1 Agricultural Protection Zoning District, with three (3) conditions listed, carried.

M/Berg, S/Lochner, to approve the Final Plat #P-00104 single lot split by Ed Sturm known as Sturm-Ellanson Subdivision on property described as part of the NE4 of NW4 Sec. 11-T109N-R30W, Cottonwood Twp., Brown County, with one (1) condition listed, carried.

M/Potter, S/Dove, to approve the Final Plat #P-00105 single lot split by Kenneth Frederickson known as Frederickson Third Subdivision on property described as part of the Gov't Lot 14, Sec. 18-T108N-R31W, Lake Hanska Twp., Brown County, carried.

M/Lochner, S/Berg, to authorize the purchase of four (4) cemetery plots from New Ulm City Cemetery-Soldiers Rest Section at a cost of \$600 each for a total amount of \$2,400; and to authorize the purchase of eleven (11) cemetery plots from the Home Cemetery Board-Soldiers Rest Section (Sleepy Eye) at a cost of \$325 each for a total amount of \$3,575, carried, with Seeboth dissenting.

At 10:03 AM, Chairman Seeboth recessed the Regular Meeting to convene a Public Hearing on the Outlet Petition request of Leon Helget to outlet certain lands into Branch 5B of CD#11. A/T Marlin C. Helget, along with Ditch Inspector Dale Holtz, Property Maintenance Specialist Pauline Braulick, Bolten & Menk Engineer Duane Hansel, and eight (8) landowners along the CD#11 ditch system were in attendance. A/T Helget reported that the notice of the hearing was sent to all affected landowners and published in the newspaper as per statute with the affidavit of publication on file. Engineer Hansel presented the report describing the petition to outlet a 13.31 acre parcel into the open ditch of Branch 5B of CD #11 across 230th Avenue, noting that the study determined that the outlet was deemed adequate for the additional acres. After considerable discussion, M/Lochner, S/Berg, to approve the outlet of approximately 13.31 acres in Pt. NE¼, NE¼, Section 23-109-32 of Stark Township into the open ditch of Branch 5B of CD#11 with the petitioner Leon Helget paying a total connection fee of \$759.00 and related administrative expenses; and to approve future participation on repairs to CD#11 on the basis of \$759.00 including original benefits of \$759.00 or 0.55% of system benefits for 13.31 acres in Pt NE¼, NE¼, Section 23-109-32; and to require that the outlet tile beyond the 13.31 acre property be non-perforated and cannot be used to drain any other non-watershed properties without an additional proceeding to add additional areas to the watershed, carried.

At 10:27 AM, Chairman Seeboth reconvened the Regular Meeting.

M/Lochner, S/Potter, to authorize one (1) Drainage Ditch Repair request, carried.

M/Lochner, S/Berg, to approve the appointment of Robert Hinnenthal as the Full Time County Attorney at the annual salary of \$73,972 (Grade XX, Step 26) being effective 11-1-09, carried.

M/Lochner, S/Potter, to accept the retirement of Judith Friesen, FT County Assessor, on 12-31-09 and authorize posting the position vacancy internal/external simultaneously, carried.

M/Berg, S/Dove, to approve regular employee status for Gail Bode, FT Financial Worker; and Terese Gruber, FT Office Support Specialist II, carried.

M/Potter, S/Dove, to approve the appointment of Brooke Patterson, FT Recycling/Water Plan/Wetlands Administrator position, at the annual salary of \$38,029 (Grade XIII, Entry) and with a projected start date of 9-2-09, carried.

M/Lochner, S/Potter, to approve posting the Regular PT Bus Driver position (20-30 hrs/wk) internal/external simultaneously, carried.

M/Lochner, S/Dove, to approve the appointment of Erin Myhre as FT Financial Worker position at the annual salary of \$33,723 (Grade XI, Entry) with an effective date of 8-

31-09 to replace Robin Frisch who on 8-13-09 declined the appointment made on 8-4-09 with an effective employment date of 8-17-09, carried.

M/Berg, S/Potter, to accept and file the following Extension Program Update: 4-H Program Coordinator Report and Ag Extension Educator Report, carried.

M/Lochner, S/Dove, to accept and order filed the July 2009 Monthly Reports of Activity for the Brown County Sheriff's Dept., carried.

M/Berg, S/Dove, to lower the per diem rate charged to house out of county inmates from \$60 per day to the following sliding scale rate effective 9-1-09: 1 inmate = \$54 per day; 2-4 inmates = \$52 per inmate per day; 5 or more inmates = \$50 per inmate per day; and the jail would transport the inmate(s) to the Brown County Jail one time from the originating county, carried.

M/Lochner, S/Potter, to approve Res. 2009-18 to enter into a grant agreement with the MN Dept. of Public Safety, Office of Traffic Safety for the project entitled Safe & Sober Communities during the period of 10-1-09 thru 09-30-10, carried.

M/Berg, S/Potter, to accept PSIC Grant Funds in the amount of \$35,125 (80%) that will be distributed by the South Central Minnesota Regional Radio Board; authorize a county match in the amount of \$8,781 (20%) from the Capital Improvement Fund 37; with said grant funds to be designated for the purchase of 800 MHz (ARMER system) mobile/portable radios only, carried.

M/Potter, S/Dove, to authorize the payment of Family Services claims in the amount of \$90,731.33, carried.

At 11:47 AM, Chairman Seeboth convened a Closed Session to consider Social Services Payments, whereupon M/Berg, S/Seeboth, to authorize the payment of Social Services payments in the amount of \$265,813.81, carried. The Closed Session ended at 11:52 AM.

M/Lochner, S/Seeboth, to approve Assistant County Attorney Jeremy Berg to attend a course on the Training for New Prosecutors scheduled for 9-30 thru 10-2/09 at Ruttger's Bay Lake Lodge in Deerwood, MN at a cost of \$272.52 plus mileage and \$205.00 for registration, carried.

M/Berg, S/Lochner, to approve the appointment of Rich Griebel to serve on the Solid Waste Advisory Committee to replace Robert Tietel as Township Representative effective 8-18-09, carried.

M/Potter, S/Berg, to accept and file the January-July 2009 Budget Report (Cash Basis and Unaudited) which reflects activity at 58.3% of the budget year as follows: expenditures of \$14,280,920.28 or 51.9%, and revenues of \$13,853,845.58 or 50.8%; and the July 2009 Supplemental Budgets Report noting expenditures of \$896,098.53 or 55.8%, and revenues of \$860,795.58 or 50.4% of annual budgeted activity, carried.

Correspondence C-1 thru C-13 were accepted and filed.

Berg reported on the recent State Health Improvement Project (SHIP) meeting; Lochner reported on Detox matters; Dove reported on the LEC Joint Powers Committee meeting, the B/L/R Drug Task Force committee meeting in Redwood Falls on 8-12-09, and the Wind Energy Forum in Springfield; Potter reported on the RCRCA meeting on 8-17-09; and Seeboth reported on meetings with Family Services Director Henderson and Region 9 area county representatives on Family Services study matters.

Calendars were coordinated for the next two week period.

There being no further business, Chairman Seeboth adjourned the Meeting at 12:26 PM.

The Official Minutes of the Regular Meeting of August 18, 2009 are on file in the County Administrator's Office and may be viewed during normal business hours, M-F, 8AM-5PM. Correspondence and requests for additional information may be directed to the County Administrator's E-Mail Address: cntyadm@co.brown.mn.us Home Page Address: www.co.brown.mn.us