

**SYNOPSIS OF COUNTY BOARD MEETING**  
**October 21, 2009**

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

M/Berg, S/Potter, to accept the Minutes of 10-6-09 and authorize publication of the Synopsis of same, carried.

M/Potter, S/Dove, to approve the four (4) year Hardware/Firmware/Software Maintenance and Support Sales Agreement Purchase Order with ES&S for maintenance and support of the vote machines with an annual fee of \$10,569.00/year plus applicable sales tax with the agreement effective beginning 10-21-09 for a four year period and authorize Auditor/Treasurer Helget to sign same on behalf of Brown County, carried.

M/Lochner, S/Berg, to authorize the payment of General Government claims in the amount of \$269,571.24, carried.

M/Lochner, S/Potter, to authorize two (2) Drainage Ditch Repair requests, carried.

A/T Helget provided an update on the JD#10 B&BE Joint County Drainage Authority teleconference that was held earlier this date noting that the Joint County Drainage Authority will meet at 1:30 PM on Tuesday 11-17-09 in the Brown County Courthouse Room 204, New Ulm, MN in an effort to resolve the JD#10 B&BE Bridge #23 (Finstad) issue.

M/Lochner, S/Dove, to approve the Brown County Evaluation Center, Inc. Detention Division Host County 2010 Purchase of Service Agreement for detention services and authorize the County Board Chair, County Attorney, and Probation Director to sign same on behalf of Brown County, carried.

M/Potter, S/Lochner, to authorize the payment of Family Services claims in the amount of \$144,139.53, carried.

At 9:24 AM, Chairman Seeboth convened a Closed Session to consider Social Services Payments, whereupon M/Berg, S/Dove, to authorize the payment of Social Services payments in the amount of \$263,003.64. This motion carried unanimously and the Closed Session ended at 9:29 AM.

M/Lochner, S/Berg, to approve the Conditional Use Permit (CUP) App. #C-00230 by Matt Dorfner for KJLY Radio (owners Loren & Yvonne Gag) on property described as part of the N2 of NW4 of NE4, Sec. 9-T109N-R30W, Cottonwood Twp., Brown County for the purpose of allowing construction of a 110 foot Radio Transmission tower to be used in a Christian related radio station, with four (4) conditions listed, carried.

M/Dove, S/Lochner, to approve the CUP App. #C-00229 by Doyle & Cassie Sandmann on property described as part of the S2 of SE4, Sec. 23-T110N-R31W Milford Twp., Brown County for the purpose of renewing current CUP #C-00063 to continue to allow use of an approximate 150 X 270 outdoor roping arena as commercial recreation area, with two (2) conditions listed, carried.

M/Berg, S/Potter, to approve CUP App. #C-00231 by Chris Thorston & Joe Ebenhoh for Midwest Asset Mgmt (owner Lowell Heiderscheidt) on property described as Lot 1 Block 1 Heiderscheidt's Second Subdivision, Sec. 28-T110N-R32W, Home Twp., Brown County for the purpose of allowing a used vehicle dealership to include farm equipment, vehicles, recreational vehicles, ATV's snowmobiles, boat, etc., in an online internet auction service. The above items will be allowed to be stored on site prior to auction but no servicing of items to be conducted on site, with three (3) conditions listed, carried.

M/Lochner, S/Potter, to approve the CUP App. #C-00232 by Todd, Matt & Tom Green for TMT Greenacres Inc. (owners Matthew & Megan Green) on property described as part of the N2 of SW4, Sec. 19- T111N-R33W, Eden Twp., Brown County for the purpose of amending CUP #C-00145 to change name to reflect new ownership continuing to allow up to 600 nursery and 1200 finishing hogs (390 AU), with seven (7) conditions listed, carried.

M/Berg, S/Lochner, to approve the CUP #C-00233 application by Loren Sellner on property described as part of the SE4, Sec. 13-T109N-R32W, Stark Twp., Brown County for

the purpose of renewing existing CUP #7791 to continue to allow use of a 125' X 240' X 12' deep earthen dairy waste holding basin in a dairy operation with up to 375 AU (approx 250 head Dairy & Dry Cows & 40 head Heifer), with seven (7) conditions listed, carried.

M/Berg, S/Dove, to approve the CUP App. #C-00227 by Rich Walters & Orlin Mack on property described as the NE corner of the East 44 acres of the E2 of the SW4 except 2.81 acres in Sec. 12, T110N, R31W in Milford Twp., Brown County for the purpose of renewing existing CUP #C-00135 to allow continued use of gravel extraction & processing operation to include crushing & screening, with three (3) conditions listed, carried.

M/Potter, S/Lochner, to approve CUP App. #C-00226 by Susan Vieregge for Central Specialties, Inc (owner Steven Geis) on property described as SW4 exc 5.05 acre tract, Sec. 29-T109N-R35W, North Star Twp., Brown County for the purpose of renewing existing CUP #C-00116 to allow continued use of gravel mining operation to include extracting, processing & storage of sand & gravel, also to include a hotmix plant, with three (3) conditions listed, carried.

M/Potter, S/Berg, to approve the CUP #C-00228 by Doris Huiras & Randy Lax on property described as part of the SE4 of SE4 of NW4, NE4 of NE4 of SW4, Sec. 28-T109N-R33W, Leavenworth Twp., Brown County for the purpose of renewing existing CUP #C-00139 to allow continued use of property for gravel extraction to include crushing, screening and a temporary hot mix plant in the gravel pit area, with two (2) conditions listed, carried.

M/Lochner, S/Potter, to approve the Preliminary Plat single lot split by Dennis Sellner for James Riebel Estate known as Riebel First Subdivision, on property described as part of the NW4 of NW4, Sec. 35-T110N-R33W, Prairieville Twp., Brown County Minnesota. Property being platted is an existing building site. The owner would like to separate the buildings from the tillable land, carried.

M/Berg, S/Lochner, to accept and file the update on the three (3) different septic low interest loans (Middle Minnesota Loan; County Septic Loan; loan program offered through AgBMP Program) for which County residents may apply, carried. It was noted in order to qualify for the loans, the individual needs to be a Brown County resident, be replacing an existing system that is currently "failing", and have their taxes up to date.

M/Lochner, S/Dove, to approve Amendment No. 2 to Loan Agreement No. SRF0172 which amends the current Middle Minnesota Watershed septic loan agreement to allow for an increase of \$55,000 in loan dollars for Brown County to use thru 6-15-10, for a total of \$330,000 awarded to Brown County and authorize Board Chairman Seeboth to sign same on behalf of Brown County, carried.

M/Lochner, S/Dove, to accept the quote received from Mathiowetz Enterprises in the amount of \$800 for a ground based survey for the Annual Survey for the Brown County Sanitary Landfill as required by the Minnesota Pollution Control Agency, carried. Additional quotes were received for aerial surveys from AECOM, Inc. and from AERO-Metric Inc. (Markhurd).

M/Berg, S/Lochner, to accept and file the Minnesota Local and Regional Public Safety Interoperable Communications Assessment Project Radio Systems Needs Assessment and Alternatives Report for Brown County as presented by Federal Engineering, Inc. Senior Consultant Dennis Hausman, carried. It was noted that the FCC has mandated that all agencies modify their systems to narrowband technology by 1-1-13 and Federal Engineering, Inc. was hired by the MN Dept. of Public Safety to study County radio systems and report on methods to achieve narrow banding while increasing interoperability.

M/Lochner, S/Potter, to approve the appointment of Marc W. Sugden as an Assistant Brown County Attorney, effective 11-2-09, without salary, carried.

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

M/Dove, S/Potter, to authorize the Sheriff's Dept. to title a DWI forfeiture vehicle (2003 Ford Excursion, 4 wheel drive) with approximately 43,000 miles in good condition;

and add the vehicle to the Sheriff's Office patrol fleet, carried. It should be noted this vehicle would be fully marked and be partially equipped with the following: radio, repeater, cage, emergency lights, etc. and will replace the 1999 Ford pickup to be taken out of the fleet.

M/Potter, S/Seeboth, to deem the 1999 Ford (blue/green) pickup, regular cab, 4-wheel drive, topper, with 53,325 miles in good condition as excess property for transfer to the Brown County Maintenance Dept. with the transfer fee in the amount of \$5,000 and replace the 1977 Dodge Army truck which will be removed from their fleet inventory, carried. It should be noted per Minnesota State Statute, the proceeds from the vehicle transfer will be deposited as a supplement to the County's operating fund or similar fund for use in DWI-related enforcement, training, and education.

M/Potter, S/Berg, to authorize the Sheriff's Dept. to title a DWI forfeiture vehicle (2002 Chevrolet pickup extended cab, 4-wheel drive, with two doors to the rear cab area) with 131,279 miles in good condition; declare said vehicle as excess property for resale; and authorize the Sheriff's Office to sell the vehicle on the Minnesota Bids website which is run by the State of Minnesota, carried. It should be noted this vehicle would be subject to distribution of funds per MN State Statute 169A.63 after costs involved as follows: 70% of the proceeds to the Brown County Sheriff's Office, 20% of the proceeds to the Brown County Attorney's Office, and 10% of the proceeds to the State of Minnesota-Treasurer's Office.

M/Lochner, S/Potter, to authorize the purchase of a set of Camoplast All Terrain Vehicle track system from Maday Motors in the amount of \$3,823.00 (includes tax and labor to install) with funding provided with the current MN DNR Off-Highway Vehicle (OHV) grant funding, carried. The tracks would be installed on the new Teryx ATV.

M/Potter, S/Lochner, to authorize the purchase of a cell phone booster in the LEC training room from [www.ineedtelephones.com](http://www.ineedtelephones.com) in the approximate amount of \$1,672.78 (includes sales tax), with installation of the equipment provided by the Brown County Information Services Dept., carried. An additional quote was received from Alpha-Wireless. It should be noted the cost of the project would be split between the Brown County Sheriff's Office and the New Ulm Police Dept. per the LEC Joint Powers Agreement.

M/Lochner, S/Potter, to accept and file the Brown County Veterans Service Office 3<sup>rd</sup> Quarter Board Report, carried.

M/Berg, S/Potter, to accept and file the Brown County Veterans Service Soldiers Rest Report; Update on Virtual Veterans Software Conversion; and CVSO Annual Fall Conference Trip Report, carried.

M/Lochner, S/Potter, to accept and file the Manatron update on the GRM software that began implementation in June 2009, carried.

M/Lochner, S/Seeboth, to approve the General Services Agreement with Ron Michaels Consulting, Inc. and Addendum #1001-GRM Implementation Assistance with revision to enter into a contract for GRM implementation consulting services with Marilyn Hallstrom at a total contract expense not to exceed \$4,000, carried.

M/Berg, S/Potter, to accept the resignation of Rita Treml, FT Deputy Assessor, contingent on her appointment to the County Assessor position, effective 1-1-10 and authorize posting the vacated position according to policy, carried.

M/Lochner, S/Dove, to approve the appointment of Rita Treml as the FT County Assessor at the annual salary of \$57,703 (Grade XVIII, Step 5) with an effective date of 1-1-10, carried.

M/Berg, S/Potter, to approve the appointment of Jeremy M. Berg to the 0.7 FTE County Attorney position at the hourly rate of \$26.7459 (Grade XVII, Step 6) with the effective date of 11-1-09, carried.

M/Potter, S/Lochner, to accept the resignation of Terri Helland, FT MCH/Universal Contact Public Health Nurse effective 11-13-09; authorize filling the position vacancy

according to policy; and retain Terri Helland in an Intermittent Part Time status for a period of six months, carried.

M/Lochner, S/Potter, to approve the appointment of Katie Lewis to the Temporary FT Probation Officer position at the annual salary of \$36,665 with an effective start date of 10-26-09, carried.

M/Berg, S/Dove, to accept and file the following Public Health Update: Statewide Health Improvement Project (SHIP); Seasonal Influenza Vaccination Campaign; H1N1 Novel Influenza; NACO Drug Card Activity; Technology Infrastructure; Health Fairs; Public Health Standards, Domain 9: Evaluate and continuously improve processes, programs, and interventions; Evidence Based Home Visiting; Education and Outreach Via Movie Ads; and Early Hearing Detection and Early Intervention, carried.

M/Potter, S/Lochner, to designate Highway Engineer Stevens as AMC Voting Delegate 2009 to replace P&Z Admin. Sletta who will not be attending the AMC Annual Conference scheduled for 12/7-9/09, carried.

M/Lochner, S/Potter, to accept and file the 2009 3<sup>rd</sup> Quarter (Cash Basis and Unaudited) Budget Report which reflects activity at 75% of the budget year as follows: Expenditures of \$18,582,617.52 or 67.6%, and revenues of \$16,920,446.30 or 61.5%; and the 2009 3<sup>rd</sup> Quarter Supplemental Budgets Report noting expenditures of \$1,151,581.69 or 71.7%, and revenues of \$1,001,978.45 or 58.6% of budgeted activity, carried.

M/Lochner, S/Berg, to authorize Board Chairman Seeboth to sign a letter to Representative Tim Walz, Senator Al Franken, and Senator Amy Klobuchar requesting assistance to secure ARRA Stimulus funding support for the proposed Brown County Facility Infrastructure and Energy Efficiency Improvement Project, carried.

Correspondence C-1 thru C-17 were accepted and filed.

Seeboth reported on the recent Generations Workshop; Berg reported on the Emergency Preparedness meeting and with Commissioner Dove on Sioux Trails matters.

Calendars were coordinated for the next two week period.

There being no further business, Chairman Seeboth adjourned the Meeting at 1:45 PM.

The Official Minutes of the Regular Meeting of October 21, 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](mailto:cntyadm@co.brown.mn.us) Home Page Address: [www.co.brown.mn.us](http://www.co.brown.mn.us)