

SYNOPSIS OF COUNTY BOARD MEETING

October 6, 2015

Members present: Seeboth, Berg, Windschitl, Simonsen, and Potter, along with County Administrator Enter and County Attorney Hanson.

M/Potter, S/Simonsen, to accept the Minutes of 9-22-2015 and authorize publication of the Synopsis of same; carried.

At 9:01 AM, Chairman Windschitl convened a Public Hearing for the purpose of setting assessments/liens to Brown County drainage ditches that have deficit balances or insufficient funds in their accounts for proper maintenance and repair. No public testimony was received. M/Berg, S/Potter, to approve the following amounts for ditch assessments on the following drainage ditches for taxes payable in 2016: \$1,000: CD 4, 8, 29, 53, 58, Imp 03, JD 17R&B, JD 36 BE&B, JD 38 R&B; \$2,000: CD 43, 47, 55, JD 13 W&B, JD 29 B&R, JD 9 B&BE; \$3,000: CD 2, 18, 32, 49, 57, CD 58 Lat 04, 64, JD 18 B&R, JD 36 R&B, Main B to CD 24; \$4,000: JD 24 R&B, JD 48 BE&B; \$5,000: CD 12, CD 58 Lat 5, Imp 11; \$6,000: CD 16, JD 12 B&R, , Main A to CD 24; \$7,000: CD 63; \$8,000: CD 48, 68; \$9,000 : CD 20, 44, 65; \$10,000: CD 1, 38; \$11,000: CD 35IMP, JD 5 B&W; \$12,000: CD 5, CD 46; \$13,000: CD 30; \$15,000: CD 67; \$26,000: JD 10 B&BE; \$32,000: CD 33; \$36,000: CD 60; \$61,000: JD 30 R&B; \$72,000: CD 10; \$77,000: CD 13; carried.

M/Simonsen, S/Seeboth, to revise the interest rate for drainage assessments to 4% in accordance with MN Statutes 103E.611 in place of the 5% interest rate previously approved for ditch assessments on August 25 and Sept. 15, 2015; carried.

M/Berg, S/Seeboth, to authorize payment of General Government claims in the amount of \$273,641.06 as follows: Revenue \$237,120.42; Public Health \$7,196.94; Road and Bridge \$19,065.86; Building Fund \$390.00; Park \$564.06; Ditch \$2,271.90; Landfill Fund \$4,627.86; Score Fund; \$2,404.02; carried.

M/Seeboth, S/Potter, to accept the Petition for Improvement of Brown County Ditch #60 dated 9-17-2015 by Dennis C. Sellner in the NW4 of SE4 and the NE4 of SW4, Section 34-T110N-R33W in Prairieville Township whereby the petitioner requests approval to replace part of the open ditch with tile and has provided a \$10,000 surety bond as required by MN Statute 103E.215; and to appoint Bolten & Menk of Sleepy Eye, MN as engineer to conduct a preliminary survey, cost analysis, and report on said improvement; carried.

M/Simonsen, S/Potter, to establish a hearing date of Tuesday 10-20-2015 at 9:00 AM in the Commissioners Room 204 of the Brown County Courthouse, 14 South State St., New Ulm, MN, for the purpose of finalizing the redetermination of benefits on CD 16, CD 24A, CD 24B and CD 65; carried.

At 9:17 AM, Chairman Windschitl called to order a public hearing to consider the request of Norman Krienke for the abandonment of approximately 1,343 feet of CD 45 in the E2 of NE4 of NW4 & N2 of NE4-Section 20-T110N-R32W in Home Township. A/T Prochniak noted that the public hearing notice was sent to landowners in the CD 45 drainage system and presented information on said petition. Petitioner Krienke was present for the public hearing. After limited discussion, M/Simonsen, S/Berg, and passed unanimously to approve the Order Granting Petition to abandon a portion of CD 45 pursuant to 103E.806 whereby the Brown County Board of Commissioners, as Drainage Authority, shall conditionally order the abandonment of approximately 1,432 feet of County Ditch 45 and the abandonment is conditional upon the completion of the private tile diverting the small watershed served by this portion of CD 45.

M/Simonsen, S/Potter, to suspend the rules to consider further testimony regarding the engineer appointed previously this date for the Petition for Improvement of Brown County Ditch #60 dated 9-17-2015 by Dennis C. Sellner; motion to suspend the rules passed.

M/Seeboth, S/Potter, to rescind the motion this date appointing Bolten & Menk of Sleepy Eye, MN as engineer to conduct a preliminary survey, cost analysis, and report for the Petition for Improvement of Brown County Ditch #60 dated 9-17-2015 by Dennis C. Sellner; passed.

In accordance with the request of the petitioner, M/Berg, S/Potter, to appoint Air-Row Surveying, LLC, Mankato, MN as engineer to conduct a preliminary survey, cost analysis, and report for the Petition for Improvement of Brown County Ditch #60 dated 9-17-2015 by Dennis C. Sellner in the NW4 of SE4 and the NE4 of SW4, Section 34-T110N-R33W in Prairieville Township whereby the petitioner requests approval to replace part of the open ditch with tile; with the condition that the engineer is a qualified drainage engineer and provides the bond as required by Minnesota Statutes; passed.

At 9:30 AM, Chairman Windschitl called to order a public hearing to receive input from the public regarding the imposing of a Local Option Sales Tax for Transportation. Highway Engineer Stevens noted that the affidavits of publication for the public hearing are on record in the Highway Engineer's Office and presented information on said proposal. One citizen attended the public hearing. Rick Jensen questioned whether the proposed sales tax would apply to vehicles and it was noted that the proposed sales tax would not apply to sales of motor vehicles. Mr. Jensen also noted the concern that the state budget surplus should be a source for local government expense such as needed to fund the maintenance of county roads. After considerable discussion, the County Board approved Resolution No. 2015-28 as follows:

IMPLEMENTATION OF ½ % COUNTY SALES TAX FOR TRANSPORTATION

The following Resolution was offered by Berg and moved for adoption at a Regular Meeting held on October 6th 2015 at the Brown County Courthouse, New Ulm, MN:

WHEREAS, Brown County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development; and

WHEREAS, the County's 2016–2020 Five Year Road & Bridge Construction Program has identified \$25,950,000 in program funding shortfall; and

WHEREAS, funding for the highway systems in Minnesota has remained stagnant and is failing to keep pace with growing population and growing demands; and

WHEREAS, a ½% sales tax for transportation collected for Brown County will stay in Brown County; and

WHEREAS, the 2008 Minnesota State Legislature authorized a local option sales tax for transportation, (Chapter 152): and

WHEREAS, the 2013 Minnesota State Legislature authorized the removal of the requirement for holding a referendum in order to impose the tax (Chapter 117, Article 3, Section 25); and

WHEREAS, Chapter 117, Article 3, Section 26, Subd. 2 of the 2013 Session Laws further requires that the proceeds of the tax must be dedicated exclusively to payment of the capital cost of a specific transportation project designated by the County Board, and that the tax must terminate when revenues raised are sufficient to finance the project; and

WHEREAS, the Brown County Board of Commissioners has designated a surface rehabilitation project on County State Aid Highway (CSAH) 29 from Trunk Highway 4 to County State Aid Highway 12 for funding by the County Local Option Sales Tax for Transportation; and

WHEREAS, the Brown County Board of Commissioners desires to implement such a sales tax and have the State Department of Revenue collect the same; and

NOW THEREFORE BE IT RESOLVED THAT the Brown County Board of Commissioners authorizes and imposes a ½% sales tax as provided for in Minnesota State Statute beginning in the second quarter of 2016 and continuing thereafter until sufficient funds are available to construct the CSAH 29 Project identified.

IT IS FURTHER RESOLVED that the provisions of Minn. Stat. Section 297A.99, subdivisions 4, and 6 thru 13 shall govern the imposition, administration, collection, and enforcement of the tax.

IT IS FURTHER RESOLVED that the Brown County Board of Commissioners hereby directs the County Auditor/Treasurer to certify the tax to the State Department of Revenue on or before January 1, 2016 for collection of the sales tax beginning in the second quarter of 2016.

Seconded by Potter and the same being put to a vote was duly carried.

This Resolution shall become effective immediately and without publication.

Adopted by the following vote: Ayes 4 Nays 1 (Windschitl dissenting)

Dated this 6th day of October, 2015.

M/Potter, aS/Simonsen, to approve the two (2) Drainage Repair requests and the payment of said repairs; carried.

M/Potter, S/Simonsen, and passed 5-0 whereby the County Board adopted Resolution No. 2015-29 approving final payment for SAP 008-599-055 Bridge Replacement and Approach work on 340th Avenue over JD 30 R&B in Prairieville Township.

M/Seeboth, S/Simonsen, to accept and file the Highway Dept. Monthly Update for Construction Projects and Maintenance Projects; carried.

M/Berg, S/Potter, to approve the purchase of two (2) L-3 Insight ATPIAL (AN/PEQ-15) Advanced Target Pointer/Illuminator Aiming Laser in the total amount of \$2,198 from Keepers Inc., Sartell, MN; carried 5-0. Additional quotes were received from Streicher's - Minneapolis and from TNVC Inc., Redlands, CA.

M/Simonsen, S/Berg, to accept and file the South Country Health Alliance (SCHA) Business Report for Brown County dated 9-25-2015; carried.

M/Simonsen, S/Seeboth, to approve the purchase of equipment and software in the amount of \$49,326.84 (\$38,833.36 under state contract pricing; Hardware to upgrade VM servers from Amazon in the amount of \$793.48; and Email archiving and Network monitoring software from Thriveon in the estimated amount of \$9,700) for the migration from Novell systems to Microsoft systems for network compatibility between computers and servers, and email capabilities; and an estimated cost of \$46,950 in professional services assistance from Thriveon to complete said project; carried 5-0. A second quote for hardware to upgrade VM servers was received from CDW-G.

M/Seeboth, S/Simonsen, to approve increasing the Brown County Landfill tipping fee from \$15.25 to \$17.25 per cubic yard effective 1-1-2016 as recommended by the Brown County Solid Waste Advisory Committee; passed.

M/Seeboth, S/Simonsen, to approve the updated Sanitary Landfill Operation Contract with Mathiowetz Enterprises, Inc. to operate the Brown County Sanitary Landfill for a period of three years (4-1-2016 thru 3-31-2019); carried.

M/Seeboth, S/Potter, to approve a Special Elections Fee of \$250 for Townships/Cities/Schools that conduct an election and are allowed to do so by paper ballot; and a \$500 fee to those jurisdictions that are required by statute to utilize voting equipment; with said fees effective 1-1-2016 as authorized by MS204B.32; and to remove effective 1-1-2016 the List of Political Candidates fee of \$5 and the Registered Voter Certificate fee of \$3; passed 4-1 with Simonsen dissenting.

M/Berg, S/Seeboth, to approve the contract with Independent School District 81 – Comfrey Schools for services provided for the special election to be held on 11/3/2015 with the cost billed to the school district not to exceed \$500 plus incidental expenses; passed.

M/Seeboth, S/Simonsen, to authorize publication of the 2014 Brown County Financial Statement; passed.

M/Berg, S/Potter, to accept and file the letter dated 9/24/2015 from the State Auditor noting the intention of the Office of State Auditor to perform the annual audit of Brown County for each of the years ending 12/31/2015, 12/31/2016, and 12/31/2017; passed.

M/Seeboth, S/Simonsen, to appoint Marvin Drill as FT Maintenance Worker III in the County Highway Shop in New Ulm at the hourly rate of \$17.3775, Grade XI, Entry Level, effective 10/7/2015; passed.

M/Berg, S/Simonsen, to appoint Andrew Kitzberger as FT Facilities Specialist in the Brown County Building Maintenance Dept. at the hourly rate of \$15.5998, Grade IX, Step 1, due to related experience, with a start date of 10/19/2015; passed.

M/Seeboth; S/Potter, to appoint Kristin Weber as temporary IPT (up to 25 hours per week) Family-Based Service Provider in the Family Services Dept., at the hourly rate of \$13.9993, Grade VIII, Entry Level, effective 10/7/2015, and ending one-week after the start date of the new hire for the current PT Family Based Services Provider vacancy; passed.

Correspondence C-1 thru C-13 were accepted and filed. Seeboth and Windschitl reported on SCHA matters and Seeboth further reported on the Solid Waste Advisory Committee and Help Me Grow; Windschitl and Simonsen reported on the Wellness Committee meeting on 10-30-2015; Simonsen reported on the Information Technology Committee meeting on 10-30-2015; Potter reported on AREA II and RCRCA.

Calendars were coordinated for the next two week period.

There being no further business, Chairman Windschitl declared the Meeting adjourned at 11:38 AM.

The Official Minutes of the Regular Meeting of 10-06-2015 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