

SYNOPSIS OF COUNTY BOARD MEETING

February 16, 2016

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

M/Seeboth, S/Simonsen, to accept the Minutes of 2-2-2016 and authorize publication of the Synopsis of same; carried.

M/Berg, S/Potter, to authorize payment of General Government claims in the amount of \$492,243.99 as follows: Revenue \$71,445.00; Public Health \$4,294.68; Road and Bridge \$375,143.35; Family Services \$357.77; Park \$663.71; Ditch \$29,484.03; Landfill \$8,855.45; SCORE \$2,000.00; carried.

M/Seeboth, S/Simonsen, to accept the low bid from NU Furniture in the amount of \$2,920 which includes carpet, vinyl base, labor and floor prep to purchase and install carpeting in the Auditor Treasurer Department Offices; carried. Another bid was received from Design Home Center.

M/Simonsen, S/Potter, and passed unanimously, to approve the County Ditch No. 60 Findings of Fact & Order on Preliminary Hearing regarding a Petition for Improvement to Brown CD#60, Branch 2 per Minn. Stat. 103E.261, whereby It is Ordered as follows: 1. The engineer, Bolton & Menk, is hereby ordered and directed to make a detailed Final Engineer's Report with plans and specifications for the proposed drainage project and submit the same to the Board as soon as possible. 2. The Final Engineer's Report shall be provided to the DNR for review and submission of a final advisory report. 3. The Petitioner shall draft and sign a 5-year Indemnification Agreement, wherein he will indemnify the County and the ditch system from any repair or replacement costs needed to the improved area. 4. A final hearing on the Petition shall be scheduled once the Final Engineer's Report, DNR report, and 5-year Indemnification Agreement are received by the Board.

M/Potter, S/Berg, to approve the Agreement Between the MN Dept. of Revenue and Brown County for the Collection of a Local Transit Sales and Use Tax; and to designate Brown County Auditor/Treasurer Prochniak as the designated contact for all local tax communications; carried.

M/Potter, S/Simonsen, to approve one (1) Drainage Repair request and the payment of said repair; carried.

M/Berg, S/Potter, to accept the quote received from SMC Sioux Rock Products in the amount of \$18/ton for an estimated 3,000 tons of seal coat aggregate for 2016 to seal coat approximately twenty-seven miles of county highway as part of normal maintenance; carried. An additional quote was received from Red Rock Quarry.

M/Berg, S/Potter, to approve the spring road restrictions for 2016 as recommended by the County Highway Engineer with the addition of CSAH 24 from TH 4 to CSAH 11 and CSAH 10 from CSAH 24 to CSAH 27 to be posted as 10 ton; carried.

M/Potter, S/Seeboth, and passed 5-0 whereby the County Board approved Resolution No. 2016-03 approving the State of MN Joint Powers Agreements with the County of Brown on Behalf of its Probation Department which allows the county to use systems and tools available over the State's criminal justice data communications network for which the County is eligible.

M/Seeboth, S/Simonsen, to approve the specifications as revised to include gutters and downspouts in the project scope of work for re-roofing the Omsrud-Torgrimson Log Cabin at Lake Hanska County Park, and authorize obtaining quotes for said project; passed.

M/Simonsen, S/Berg, to approve the receipt of funds from the Minnesota Pollution Control Agency in the amount of \$28,778 for Low-Income Fix-up Grants for SSTS (Sewage treatment systems deemed to be imminent threat or failing to protect groundwater); and to set the amount available for low-income residents through this grant program to be \$4,000 per qualified individual residence; passed.

M/Seeboth, S/Simonsen, and passed unanimously, to approve the Board Ratification Statement whereby the Board of Brown County has ratified the PROFESSIONAL SERVICES AGREEMENT BETWEEN MINNESOTA COUNTIES COMPUTER COOPERATIVE And TRIMIN SYSTEMS, INC. for the maintenance and support of IFS effective 1-1-2016 through 12-31-2018. This Agreement commits the participating members for the term of the contract and the financial obligations associated with this contract.

M/Potter, S/Windschitl, to acknowledge the resignation of Alisa Mangen, University of MN Extension 4-H Program Coordinator .75 FTE in Brown County, effective 2-26-2016; and to concur with the University's proposal to fill the Brown County Extension 4-H Program Coordinator .75 FTE position with an Interim 4-H Program Coordinator until the University's hiring process to fill the vacancy is completed in accordance with Paragraph 4 of the Memorandum of Agreement dated 11-3-2015; carried.

M/Potter, S/Simonsen, to accept and file the 2015 Year-End Budget Report (Cash Basis and Unaudited) which reflects activity at 100% of the budget year as follows: Expenditures of \$29,837,712.69 or 101.6%, and revenues of \$29,865,007.90 or 101.7%; and the 2015 Year-End Supplemental Budgets Report noting expenditures of \$2,062,279.32 or 75.3%, and revenues of \$2,339,564.99 or 121.2% of budgeted activity; passed.

At 10:00 AM, Chairman Windschitl convened the CD#38 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Assistant Highway Engineer Lang; Ditch Viewers Mark Behrends, Chris Christianson, Robert Hansen, and Joseph Mutschler; and three (3)

interested landowners of the ditch system. A/T Prochniak noted that the public hearing notice was published as required, the affidavit of publication is on file, and that the Notice of Hearing was sent to all landowners of record. Viewer Christianson presented the Property Owners Report dated 12-16-2015; the Viewers' Report dated 12-16-2015; and the Brown County CD-38 Information dated 2-16-2016. It was noted that CD#38 is a tile system of approximately 32,740 feet of County tile providing drainage benefits to 1,287.45 acres in Milford Township. Fred Juni asked about a 1972 appeal in Section 9 and Viewer Christianson noted that this has been addressed in the redetermination of benefits process. No other public testimony was received. After limited discussion, M/Berg, S/Potter, to accept the County Ditch No. 38 Redetermination of Benefits and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting; passed.

M/Seeboth, S/Simonsen, to accept and file the Jan. 2016 Budget Report (Cash Basis and Unaudited) which reflects activity at 8.3% of the budget year as follows: expenditures of \$2,367,044.73 or 7.9%, and revenues of \$1,224,812.21 or 4.3%; and the Jan. 2016 Supplemental Budgets Report noting expenditures of \$133,416.26 or 5.9%, and revenues of \$50,893.86 or 2.2% of annual budgeted activity; passed.

At 10:17 AM, Chairman Windschitl convened the CD#75 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Assistant Highway Engineer Lang; Ditch Viewers Mark Behrends, Chris Christianson, Robert Hansen, and Joseph Mutschler; and three (3) interested landowners of the ditch system. A/T Prochniak noted that the public hearing notice was published as required, the affidavit of publication is on file, and that the Notice of Hearing was sent to all landowners of record. Viewer Behrends presented the Property Owners Report dated 12-16-2015; the Viewers' Report dated 12-16-2015; and Brown County CD-75 Information dated 2-16-2016. CD-75 includes approximately 1.9 miles of open ditch and approximately 3.9 miles of County tile in Milford Township. Fred Juni asked if the ditch fund balance would be used in order to lower the amount of any needed assessment to pay for the redetermination of benefits process. A/T Prochniak noted the CD-75 fund balance would be used toward the costs of the redetermination of benefits process. With respect to the one-rod buffer strip, Mr. Juni also asked if the two rod wide property along the ditch bank can continue to be used as access to Mr. Juni's sixty acre tract. Viewer Behrends noted that MN ditch statutes allow use of ditch bank for access purposes. It was also noted that the Findings of Fact and Order will include information related to Mr. Juni's question. Mike Hoffmann questioned where the 16.5' buffer strip would start. It was noted that the buffer strip would start from the highest part of the ditch. No other public testimony was received. Thereafter, M/Berg, S/Simonsen, to accept the County Ditch No. 75 Redetermination of Benefits and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting, with said Order to include the effective date of 3-1-2017 for the acquisition of the one (1) rod strip required from the open ditch, and the inclusion for the record that a two rod wide property along the ditch bank can be used both as an access to a sixty acre tract and as the one-rod buffer strip; passed.

M/Seeboth, S/Simonsen, to approve the School Health Nursing Services Agreement Budget Amendment for School District #88 for Non-Public Schools for the 2015-16 school year in the amended total amount of \$61,606; passed.

M/Seeboth, S/Berg, to accept and file the Public Health Update 2-16-2016 on Zika Virus; Mental Health Medication Management; Annual Meeting 2-24-2016; Performance Management; Medical Cannabis to include Intractable Pain; Influenza Activity Remains Low in MN; MSU Community Health Education Student and Advisory Committee Minutes 10-14-2014; carried.

M/Seeboth, S/Simonsen, to approve payment of Family Services administrative claims in the amount of \$145,872.30; carried.

At 10:47 AM, Chairman Windschitl convened a Closed Session to consider Social Services Payments, whereupon M/Seeboth, S/Simonsen, to authorize the payment of Social Services payments in the amount of \$312,459.48; carried and the Closed Session ended at 11:00 AM.

M/Berg, S/Potter, to appoint Ross Fischer as FT Dispatcher in the Sheriff's Dept., at the hourly rate of \$17.9854, Grade XI, Entry, with a start date of 2-19-2016, and approve posting for an IPT Dispatcher position according to policy; passed.

M/Simonsen, S/Seeboth, to appoint Pauline Braulick as Appraiser in the Assessor's Office at the hourly rate of \$20.9780, Grade XI, Step 5, due to related experience, with a start date of 3-1-2016; approve the resignation of Pauline Braulick as Property Maintenance Specialist in the Auditor/Treasurer's office effective 3-1-2016; and ratify the posting for a Property Maintenance Specialist position according to policy; passed.

M/Berg, S/Potter, to accept the resignation of Audrey Milbrett, IPT Home Health Aide, effective 2-19-2016; passed.

M/Berg, S/Potter, to accept and order filed the Jan. 2016 Reports of Activity for the Brown County Sheriff's Dept.; carried.

M/Potter, S/Simonsen, and passed 5-0 whereby the County Board approved Resolution No. 2016-04 approving the State of MN Joint Powers Agreements with the County of Brown on Behalf of its County Attorney and Sheriff which allows the county to use systems and tools available over the State's criminal justice data communications network for which the County is eligible.

Correspondence C-1 thru C-10 were accepted and filed. Seeboth reported on the Brown County Historical Society meeting; Windschitl reported on the South Country Health Alliance; Health Insurance

meeting; and with Simonsen on the Wellness Committee meeting on 2-3-2016; Potter reported on the Drainage Seminar in St. Cloud on 2-11-2016.

Calendars were coordinated for the next two week period.

There being no further business, Chairman Windschitl declared the Meeting adjourned at 11:21 AM.

The Official Minutes of the Regular Meeting of 2-16-2016 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