

SYNOPSIS OF COUNTY BOARD MEETING

February 23, 2016

Members present: Seeboth, Berg, Windschitl, Simonsen, and Potter, along with Lay Board Members Mohr and Kuster, County Administrator Enter, County Attorney Hanson (at 9:28 AM), and Family Services Director Henderson.

M/Simonsen,S/Seeboth, to accept the Minutes of 2-16-2016 and authorize publication of the Synopsis of same; carried.

M/Seeboth, S/Simonsen, to accept the low bid received in the amount of \$33,800 for the purchase of two (2) 2016 Ford Fusion SE from Chuck Spaeth Ford, including rebate and trade-in of two (2) 2009 Ford Fusions; carried 5-0. Additional bids including trade-in and rebates were received for two (2) 2016 Chrysler 200 L/X's from Maday Motors; two (2) 2016 Buick Regal's from Jensen Motors; and two (2) Chevrolet Malibu LT's from Kohls Weelborg Chevrolet, LLC.

M/Berg, S/Potter, to accept and file the report on the Brown County Early Childhood Dental Network which noted its two primary issues to increase access to early dental care for children under three years of age and to increase education & raise awareness of the importance of early oral care; passed.

M/Seeboth, S/Berg, and passed 5-0 whereby the County Board approved Resolution No. 2016-05 approving the State of MN Joint Powers Agreement with the County of Brown on behalf of its Family Services 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/Simonsen, S/Potter, to accept and file the 2015 Child Support Collections Report; passed.

M/Berg, S/Simonsen, to accept and file the year-end 2015 Family Services Budget Analysis Report; carried.

M/Berg, S/Simonsen, to accept and file the Brown County Collections Program Report for 2015; the Actual Detox Costs vs Yearly Detox Collections for 2005-2015 Report; the 2014 & 2015 Medical Assistance Estate Recoveries Report; and the Brown County Welfare Fraud Report for 1998-2015; carried.

M/Berg, S/Potter, to approve placing the autism worker position in both the Bachelor's level (Grade XIV) and Master's level (Grade XVI) position descriptions and to begin paying our current autism worker at the Master's degree level upon Merit approval; carried.

M/Seeboth, S/Simonsen, to accept and file the Jan. 2016 Social Service Case Actions; passed.

M/Seeboth, S/Potter, to approve payment of Family Services administrative claims in the amount of \$4,467.98; carried.

M/Seeboth, S/Simonsen, to accept and file the following Family Services Correspondence: South Country Health Alliance Points to be made with Legislators in the 2016 session; and Consent Agenda Items: State Director's Association Legislative Position Statement; Brown County Children Living in Poverty 2013 Statistics; Star Tribune Recent Article; Minnesota Social Services Association Annual Conference March 16-18; Brown County Crisis Childcare Committee; Crisis Nursery Committee; Social Services Bill Explanation; Out of Home Placement Costs Net Costs/Cash Basis Full Year 2015 Report; Out of Home Placement Costs 2016; Income Maintenance Report; and Heartland Express Report; carried.

At 10:27 AM, Lay Board Members Mohr and Kuster were excused.

At 10:33 AM, Chairman Windschitl called to order a public hearing to consider revising language to Brown County Ordinance No. 2009-01, Section 15. Planning and Zoning Administrator Sletta presented information on the Brown County Park Commission proposal to revise language of Brown County Ordinance No. 2009-01, Section 15 as follows: "Section 15. Snowmobiles or All-Terrain Vehicles. No snowmobile, dirt bike, All-Terrain ("ATV") or other off road vehicle shall be permitted in Park Property. Notwithstanding this restriction, any vehicle licensed by the MN Department of Motor Vehicles (DMV) or MN Department of Natural Resources (DNR) for travel on public roadways shall be permitted only on park roads and in designated parking areas in Park Property. Park Caretakers may use ATVs, dirt bikes, or other vehicles in Park Property as needed as long as they are performing park business or duties. Golf carts are only allowed in Park Property if the caretaker is contacted prior to use and only during sanctioned events for the sole purpose of transporting elderly or disabled visitors." The affidavit of publication of the public hearing notice is on file. Seven (7) citizens attended the public hearing. Testimony was received as follows: Gary Schenk expressed the need to monitor usage of Mound Creek County Park and spoke against the proposal to change the ordinance to allow ATV's in county parks in order to preserve the good condition of county parks. Eugene Zimmermann noted that he had contacted the MnDNR about ATV rules and that a DNR registration is not the same as a vehicle license; and suggested use of state trails for ATV's. Allen Weckworth spoke against the proposed ordinance change noting concerns of noise, pollution, and destruction of the land when ATV's are not used properly. Pat Sturm noted that some people who use side-by-sides and four wheelers would like to enjoy the county parks and he spoke in favor of the proposed ordinance revision which would allow access to the county parks on park roads and parking lots. Greg Roiger noted his service on the County Park Commission for many years beginning in 1975 and that the Brown County parks were not designed for four wheelers; He expressed concern of cost to repair damages from misuse of four wheelers at county parks; and urged the County Commissioners to vote no on the proposed change. Willard Johnson stated that he assists the Mound Creek County Park Caretaker and expressed concern of

four-wheelers ripping up the parking lot and the noise that would be generated by ATV's and four wheelers. After considerable discussion, M/Seeboth, S/Berg, to continue the prohibition of ATV's in Park Property with the revision of Brown County Ordinance 2009-01, Section 15. to read as follows: "Section 15. Snowmobiles or All-Terrain Vehicles. No snowmobile, dirt bike, All-Terrain ("ATV") or other off road vehicle shall be permitted in Park Property. Park Caretakers may use ATVs, dirt bikes, or other vehicles in Park Property as needed as long as they are performing park business or duties. Golf carts are only allowed in Park Property if the caretaker is contacted prior to use and only during sanctioned events for the sole purpose of transporting elderly or disabled visitors."; carried 3-2, with Potter and Windschitl dissenting.

M/Berg, S/Potter, to approve Conditional Use Permit (CUP) Application #C-002 by Bruce Pace, Darrell Pace Trust owner, on property described as N2 of NE4, Sec27-Twp108N-R30W, Linden Township for the purpose to renew CUP #C-00112 to continue to allow up to a maximum of 505AU (1600 head finishing hogs and 500 head nursery hogs) all located in the A-1 Agricultural Protection Zoning District, with nine (9) conditions; carried.

M/Potter, S/Simonsen, to approve CUP Application #C-001 by Travis Vogel on property described as part of the SW4, Sec22-Twp108N-R35W, Stately Township, for the purpose to allow expansion of an existing feedlot from the current 201 AU to 561 AU (1650 Head of Finishing hogs and 55 Cow Calf pair) through construction of a 196' X 51' Hog Barn with 8' deep pit to house an additional 1200 head of finishing hogs located in the A-1 Agricultural Protection Zoning District, with nine (9) conditions; carried.

M/Potter, S/Berg, to approve Final Plat P-0001 (5.09 acres), a single lot split by James & Joyce Bloemke known as Bloemke First Subdivision on property described as part of E2 of NW4, Sec01-Twp109N-R34W, Burnstown Township; Parcel being platted is currently an existing homestead being split from tillable ground; carried.

M/Seeboth, S/Berg, to approve the depositing of up to approximately 15,000 cubic yards of burned demolition debris from buildings destroyed by fire in downtown Madelia, MN to the Brown County Sanitary Landfill at a charge of \$18.50 per cubic yard tipping fee plus applicable state solid waste tax, with tarped loads and subject to material test results complying with MPCA standards; carried 5-0.

M/Berg, S/Potter, to deny the one-time request to dispose of approximately 5,500 cubic yards of contaminated soil from MN Dept. of Transportation Highway 4 project through St. James to the Brown County Sanitary Landfill; carried.

M/Berg, S/Potter, and passed 5-0, to approve the County Ditch No. 38 Findings of Fact for the Redetermination of Benefits whereby IT IS ORDERED as follows: 1. The Viewers' Report, on file herein, and the assessment of benefits and damages stated therein, attached as Exhibit "A," is hereby adopted. 2. The redetermined benefits and damages, and benefited and damaged areas shall take the place of, and be used, in determining assessments from the date approval. 3. The County Auditor-Treasurer is directed to take all necessary actions to implement this redetermination of benefits and to apply assessment and interest terms in accordance with existing policy. 4. The appeal period will be thirty (30) days after this Order is signed and filed in the County Auditor-Treasurer's Office.

M/Berg, S/Simonsen, and passed 5-0, to approve the County Ditch No. 75 Findings of Fact for the Redetermination of Benefits whereby IT IS ORDERED as follows: 1. The Viewers' Report, as amended, on file herein, and the assessment of benefits and damages stated therein, attached as Exhibit "A," is hereby adopted. 2. The redetermined benefits and damages, and benefited and damaged areas shall take the place of, and be used, in determining assessments from the date approval. 3. The acquisition of the one rod grass strip at 10% of the land value, for a total of \$62,126.00, will be effective on March 1, 2017. 4. The acquisition of the one hundred foot construction right of way easement at 5% of the land value, for a total of \$11,055.00, will be effective March 1, 2017. 5. The County Auditor-Treasurer is directed to take all necessary actions to implement this redetermination of benefits and to apply assessment and interest terms in accordance with existing policy. 6. The appeal period will be thirty (30) days after this Order is signed and filed in the County Auditor-Treasurer's Office.

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

M/Potter, S/Seeboth, set a bid letting date for the SAP 008-624-033 Surface Rehabilitation Project on CSAH 24 from CSAH 5 to CSAH 16 for 10:00 AM on 3-30-2016 in Commissioner Room 204 located in the Brown County Courthouse, 14 S. State, New Ulm, MN; carried.

M/Simonsen, S/Potter, to accept and file the Certificate of Compliance for the year 2015 noting that the Brown County Recorder was in compliance with state recording requirements and also noting that the current balance as of 12-31-2015 in the Recording LRF-Compliance Fund is \$38,434.94; and to accept and file the Brown County Recorder Statistical Data Report & Recorder Revenue Report for the years 2007 thru 2015 for work completed in the Brown County Recorder's Office; carried.

M/Potter, S/Berg, to approve hardware/software purchases for the first half of 2016 under state contract pricing or quotations, in the total amount of \$38,543 as follows: Human Services/Highway/Probation/Public Health/HR/Sheriff- Replace twelve (12) CPU's: \$9,027; Human Services- One (1) Laptop: \$1,192; Human Services- eight (8) 19" Monitors: \$1,300; Human Services/Probation- three (3) 24" Monitors: \$765; Probation- one (1) small color printer: \$1,192; License Bureau- one (1) small Laserjet printer: \$160; Veterans- one (1) small

scanner: \$667; Human Services/Public Health/Veterans/Attorney- sixteen (16) Surface Pro 4 Tablet w/dock: \$24,265; carried 5-0.

M/Seeboth, S/Simonsen, to appoint Judy Mathiowetz, Intermittent Part Time (IPT) Public Health Nurse at the hourly rate of \$30.7611, Grade XVI, Step 18, due to related experience, with a start date of 2-24-2016; carried.

M/Berg, S/Potter, to appoint Jackie Griebel as a FT Eligibility Worker in the Family Services Dept. at the hourly wage of \$20.2444 (Grade XII, Step 2) with a start date of 3-1-2016, and approve posting for a FT Family Based Service Provider position according to policy; carried.

M/Potter, S/Berg, to accept the resignation of Angela Gauert as FT Appraiser in the Assessor's Office and appoint Angela Gauert as FT Deputy Assessor at the hourly rate of \$24.8380, Grade XV, Step 3, due to related experience, with a start date of 2-24-2016, and approve posting for a FT Appraiser according to policy; carried.

M/Berg, S/Seeboth, to authorize Charles Hanson, County Attorney; and Carol Weikle, Court Administrator to enter in a Legal Services Contract for CHIPS Attorneys Michael Mountain and Elizabeth Weinandt from 3-1-2016 through 12-31-2016; carried.

Correspondence C-1 through C-4 were accepted and filed. Seeboth reported on the Underage Substance Abuse Coalition meeting on 2-17-2016; Windschitl reported on the South Country Health Alliance Legislative Forum on 2-22-2016; Berg and Simonsen reported on the County Ditch #1 Informational Meeting on 2-16-2016.

Calendars were coordinated for the next two week period.

There being no further business, Chairman Windschitl declared the Meeting adjourned at 12:20 PM.

The Official Minutes of the Regular Meeting of 2-23-2016 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: cntyadmn@co.brown.mn.us Home Page Address: www.co.brown.mn.us