

## SYNOPSIS OF COUNTY BOARD MEETING

April 18, 2017

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

M/Berg, S/Potter, to accept the Minutes of 4-4-2017 and authorize publication of the Synopsis of same; carried.

M/Windschitl, S/Borchert, to authorize payment of General Government claims in the amount of \$283,488.34 as follows: Revenue \$54,095.12; Public Health \$12,681.59; Road and Bridge \$165,706.85; Family Services \$495.88; Park \$198.90; Ditch \$39,522.59; Landfill \$10,787.41; carried.

M/Windschitl, S/Berg, to accept and file the Cash Management/Investment Report ending 3-31-2017 which reflects a total invested balance of \$21,304,140.59 with the average overall interest rate for the portfolio of 1.24%; carried.

M/Potter, S/Berg, to approve ten (10) Drainage Repair requests and the payment of said repairs; carried.

M/Windschitl, S/Borchert, to accept and file the 2016 Annual License Bureau Report, which noted gross motor vehicle license sales of \$7,855,812.92 of which \$7,630,338.92 was submitted to the state and \$225,474.00 in fees was retained by Brown County; and gross driver's license sales of \$220,444.25 of which \$151,452.25 was submitted to the state and \$68,992.00 in fees was retained by Brown County; Sales also included 592 Game & Fish privileges with Brown County retaining \$578.00 and 2,067 Boat/Snowmobile renewals with Brown County retaining \$9,310.50; carried.

M/Windschitl, S/Potter, to approve the request from Brown County Agricultural Society for an appropriation of \$4,500 towards the final payment for researching and writing the Brown County Fair 150<sup>th</sup> Anniversary History Book; carried.

M/Berg, S/Potter, to approve the MN Wetland Conservation Act Local Government Unit Decision approving the Cunningham Irrigation Well Application Number Brown 10-12-2016 under MN Rule 8420.0415 A; carried.

M/Windschitl, S/Berg, to accept and file the S&P Rating Report dated 4-12-2017 in which S&P Global Ratings assigned its 'AA' long-term rating to Brown County, Minn.'s series 2017A general obligation (GO) state aid bonds; carried.

M/Potter, S/Berg, to approve Resolution No. 2017-10 Authorizing Issuance, Awarding Sale, Prescribing the Form and Details and Providing for the Payment of \$4,875,000 General Obligation State Aid Bonds, Series 2017A; motion passed 5-0.

M/Windschitl, S/Borchert, to approve Brown County, MN Post-Issuance Tax Compliance Procedures for Tax-Exempt Bonds dated 4-18-2017, with said procedures to ensure that interest on tax-exempt bonds of Brown County remain excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended; carried.

M/Windschitl, S/Simonsen, to approve the Letter of Engagement dated 3-22-2017 to retain Ehlers as Dissemination Agent for Issuer Continuing Disclosure required under Securities and Exchange Commission (SEC) Rule 15c2-12, with Ehlers thereby providing Limited Disclosure Services for an annual fee of \$750 as related to the General Obligation State-Aid Highway Bonds, Series 2017A; carried.

M/Windschitl, S/Borchert, to approve payment of Human Services administrative claims in the amount of \$122,914.12; carried.

At 10:27 AM, Chairman Simonsen convened a Closed Session to consider Social Services Payments, whereupon M/Windschitl, S/Borchert, to authorize the payment of Social Services payments in the amount of \$205,296.32; carried and the Closed Session ended at 10:36 AM.

At 10:45 AM, Chairman Simonsen convened the CD#22 Redetermination of Benefits public hearing. The public hearing was attended by Auditor/Treasurer Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson, and one (1) interested landowner of the ditch system. A/T Prochniak noted that the public hearing notice was published as required and that the Notice of Hearing was sent to all landowners of record. The CD#22 Ditch Authority received the Engineer's Advisory Report dated 3-20-2017. Viewer Christiansen presented the Viewers' Report and the Brown County CD#22 Information dated 4-18-2017. It was noted that CD#22 is a tile system of approximately 15,070 feet of County tile providing drainage benefits to 458 acres in Linden Township. No public testimony was received. After limited discussion, M/Potter, S/Berg, to accept the Viewers Report and the Engineer's Report; approve the County Ditch No. 22 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.

At 10:55 AM, Chairman Simonsen convened the CD#43 Redetermination of Benefits public hearing. The public hearing was attended by Auditor/Treasurer Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and no landowners of the ditch system. A/T Prochniak noted that the public hearing notice was published as required and that the Notice of Hearing was sent to all landowners of record. The CD#43 Ditch Authority received the Engineer's Advisory Report dated 3-20-2017. Viewer Behrends presented the Viewers' Report and the Brown County CD#43 Information dated 4-18-2017. It was noted that CD#43 is a tile system of approximately 10,460 feet of County tile providing drainage benefits to 240 acres in

Linden Township. No public testimony was received. After limited discussion, M/Windschitl, S/Berg, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 43 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.

At 11:10 AM, Chairman Simonsen convened the CD#63 Redetermination of Benefits public hearing. The public hearing was attended by Auditor/Treasurer Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and seven (7) interested landowners of the ditch system. A/T Prochniak noted that the public hearing notice was published as required and the Notice of Hearing was sent to all landowners of record. The CD#63 Ditch Authority received the Engineer's Advisory Report dated 3-20-2017. Viewer Behrends presented the Viewers' Report and the Brown County CD#63 Information dated 4-18-2017. It was noted that CD#63 consists of approximately 56,650 feet of open ditch and 67,200 feet of County tile providing drainage benefits to approximately 6,609 acres in Linden Township. Tim Sorensen questioned the need of the construction easement. It was noted that the construction easement is limited to future CD#63 repair and maintenance needs only, and serves no other purpose. Jeff Halvorson questioned who seeds the one rod grass strip. It was noted that the Ditch Inspector arranges for the seeding of the one rod grass strip that is required in the redetermination of benefits. One landowner noted current CRP acres along the ditch which qualifies for the required one rod grass strip. No other public testimony was received. After limited discussion, M/Potter, S/Berg, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 63 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.

At 11:35 AM, Chairman Simonsen convened the public hearing for the Consolidation of CD#29 and CD#29 Branch 1, and for the CD#29 Redetermination of Benefits (ROB). The public hearing was attended by Auditor/Treasurer Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and two (2) interested landowners of the ditch system. A/T Prochniak noted that the public hearing notice was published as required and that the Notice of Hearing was sent to all landowners of record. A/T Prochniak presented background information on the consolidation of CD#29 and CD#29 Branch 1. No public testimony was received. One landowner noted general agreement with the proposal that was discussed at previous informational meetings to address the financial plan for the consolidation. After limited discussion, M/Berg, S/Potter, to approve the consolidation of CD#29 and CD#29 Branch 1; to establish an assessment of \$5,000 to the landowners on CD#29 utilizing the benefits from 2016 (prior to ROB); to abate said assessment to landowners Donald Schroepfer, Gerald Braulick, and Carol Kotten who have land ownership in both systems; and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting; passed.

Thereafter, the CD#29 Ditch Authority received the Engineer's Advisory Report dated 3-20-2017. Viewer Christianson presented the Viewers' Report and the Brown County CD#29 Information dated 4-18-2017. It was noted that the Consolidation of CD#29 and CD#29 Branch 1 consists of approximately 42,790 feet of County tile providing drainage benefits to 897 acres with the outlet located in Section 32 of Stark Township. No public testimony was received. After limited discussion, M/Potter, S/Simonsen, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 29 Redetermination of Benefits which includes the consolidation of CD#29 and CD#29 Branch 1; and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting; passed.

M/Windschitl, S/Potter, to approve Conditional Use Permit (CUP) Application #C-0046 by Brian Christensen on the property described as Lot 23 of the SE ¼, Section 12, Township 111N, Range 33W, Eden Township, Brown County, MN to allow a new chicken broiler operation with a maximum of 490 AU (98,000 head) through construction of two (2) 596' X 66' total confinement barns, all located in the A-1 Ag Protection Zoning District, with five (5) conditions; carried.

M/Berg, S/Potter, to approve CUP Application #C-0049 by Richard & Connie Trebesch on the property described as the W ½ of the NW ¼ excepting a 5 acre tract and part of the NW ¼ of the NW ¼ and a 5.7 acre tract in the NE ¼ of the NW ¼, Section 10, Township 109N, Range 33W, Leavenworth Township, Brown County, MN, to continue to allow an existing feedlot consisting of 2052 AU (6840 Head) of Finishing Swine and 40 AU (40 Head) of Slaughter Steer for a total maximum capacity of 2092 AU, all located in the A-1 Ag Protection Zoning District, with eight (8) conditions; carried.

M/Windschitl, S/Potter, to approve CUP Application #C-0047 by Glen & Lisa Schuster on the property described as that part of the N ½, of the SE ¼, Section 15, Township 110N, Range 32W, Home Township, Brown County, MN to continue to allow an existing operation to be used as a contractors yard for railroad construction; and repair, maintenance, and sales of railroad construction equipment and parts, all located in the A-1 Ag Protection Zoning District, with six (6) conditions; carried.

M/Windschitl, S/Borchert, to table consideration of CUP Application #C-0048 by Zach Beckius on the property described as the NE ¼, Section 29, Township 108N, Range 33W, Mulligan Township, Brown County, MN to allow a new hog finishing operation with a maximum capacity of 720 AU (2400 Head) through construction of a 102' X 192' Total confinement barn with a 102' X 192' X 8' Deep concrete pit, all located in the A-1 Ag Protection Zoning District, until 10:00 AM on 5-16-2017; motion to table passed 4-1, with Simonsen dissenting.

M/Potter, S/Simonsen, to approve Preliminary Plat Application P-0018 by Lorin Helget known as North Shore Seventh Subdivision on the property described as part of the SE ¼ of the NE ¼, & Government Lots 3 and 4, Section 14, Township 108 N, Range 32 W, Albin Township, Brown County, MN; Parcels being platted are a realignment of existing platted lots known as North Shore Sixth Subdivision to create a 9 lot residential development, all located in the A-1 Ag/Shoreland Protection Zoning District; carried.

M/Windschitl, S/Simonsen, to approve Preliminary Plat Application P-0016 by Jason Krenz known as Krenz Subdivision on the property described as NE ¼ of the SW ¼, Section 10, Township 109 N, Range 30 W, Cottonwood Township, Brown County, MN; Parcel being platted is an existing platted lot known as Hoffmann's 6<sup>th</sup> Subdivision that is being resized; carried.

M/Windschitl, S/Berg, to approve Final Plat Application P-016 by Tom Haala known as Haala Acreage on the property described as Part of the NW 1/4, Section 27, Township 110 N, Range 31 W, Milford Township, Brown County, MN; Parcel being platted is an existing platted lot known as Goltz Fourth Subdivision that is being resized; carried.

M/Windschitl, S/Borchert, to approve the development of a plan by Barr Engineering that would be used as a framework to request quotes from contractors to repair the 24" x 24" sluice gate and the 3" constant flow valve in the Wellner Hageman dam; carried.

M/Potter, S/Berg, to accept the resignation of Susan Wieland, FT Dispatcher, effective 4-27-2017 and authorize to post the vacancy for one FT Dispatcher according to policy; carried.

M/Windschitl, S/Berg, to accept the resignation of Walter Hanish Jr., Veteran's Hospital Shuttle Driver effective 4-3-2017 and authorize to delay posting the vacancy for one Veteran's Hospital Shuttle Driver until a determination can be made on the driver needs of the department; carried.

M/Berg, S/Potter, to accept and file the 2017 1<sup>st</sup> Quarter (Cash Basis and Unaudited) Budget Report which reflects activity at 25% of the budget year as follows: Expenditures of \$6,955,123.00 or 18.9%, and revenues of \$4,658,886.33 or 12.7%; and the 2017 1<sup>st</sup> Quarter Supplemental Budgets Report noting expenditures of \$724,818.16 or 25.9%, and revenues of \$233,027.15 or 9.0% of budgeted activity; carried.

M/Potter, S/Borchert, to approve Amendment #2 of MN DNR Grant Agreement #3000083372/98784 to extend the grant agreement allowing the land owner more time to vacate the property; and to accept the landowner's request to close on or before 9-29-2017, thereby requiring the landowner to close on or before 9-29-2017; carried 4-1, with Windschitl dissenting.

Correspondence C-1 thru C-9 were accepted and filed. Borchert reported on the Truancy Committee, Human Services orientation, and the Brown/Nicollet Community Health Board Personnel Committee meeting; Berg reported on Region 9, Human Services orientation, Personnel Advisory Committee, Highway Committee meeting with Potter, Public Health meeting, and with Simonsen on the CD#29 information meeting; Windschitl reported on the Brown County Historical Society; Potter reported on AREA 2 and the Redwood-Cottonwood Rivers Control Area.

Calendars were coordinated for the next two week period.

There being no further business, Chairman Simonsen declared the Meeting adjourned at 3:15 PM.

The Official Minutes of the Regular Meeting of 4-18-2017 are on file in the County Administrator's Office and may be viewed during normal business hours, M-F, 8AM-4:30PM. 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)