

## SYNOPSIS OF COUNTY BOARD MEETING

**January 16, 2018**

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

M/Potter, S/Berg, to accept the Minutes of 01-02-2018 and authorize publication of the Synopsis of same; carried.

M/Windschitl, S/Borchert, to authorize payment of General Government claims in the amount of \$821,501.10 as follows: Revenue \$228,801.61; Public Health \$40,573.11; Road and Bridge \$91,439.46; Human Services \$46,531.17; Park \$4,360.05; Ditch Fund \$75,613.55; Landfill Fund \$332,643.35; SCORE Fund \$1,538.80. In accordance with MS 375.12, the following claims exceeding \$2,000 are included in the Fund totals above: Alpha Wireless \$2427.65; Assn of Mn Counties \$14049; Behrends/Mark \$3117.81; Bryan Nelson Construction Inc \$11344; Cashwise Pharmacy \$3138.76; Champ Software Inc \$13345; Christianson/Chris \$2684.48; Journal Inc/The \$3056.99; Mathiowetz Construction Co \$2880.50; Mathiowetz Enterprises Inc \$326788.35; MCCC Mi 33 \$25351.34; Mn Co Attorneys Assn \$3712; Mn Co Intergovernmental Trust \$281936; Mn Dept of Transportation \$2748.42; Mn Sheriffs Association \$7844; New Ulm Tire \$7211.1; Redwood Cottonwood Rivers Control Area \$10050; Ron'S Recycling \$3680; Trane U.S. Inc \$3217.5; Walters Excavating \$54976. 101 Payments less than \$2,000.00: \$37942.20; Final total: \$821,501.10; carried.

M/Windschitl, S/Borchert, to accept and file the Cash Management/Investment Report ending 12-31-2017 which reflects a total invested balance of \$28,164,063.35 with the average overall interest rate for the portfolio of 1.4%; carried.

M/Berg, S/Simonsen, to receive and order filed the Auditor/Treasurer's Office report on the distribution of the 2017 interest income in the amount of \$314,319.94 to the major funds of the county based upon average fund balance; carried.

M/Potter, S/Berg, to accept and file the 2017 Percent Delinquent Report for property tax collections thru 12-31-2017 noting the overall percentage of unpaid tax collections for 2017 being 0.6961%; carried.

M/ Potter, S/Simonsen, to establish a public hearing date of 2-6-2018 at 10:30 AM for the petition dated 9-22-2017 to outlet into CD#48 in Leavenworth Township; and to establish a public hearing date of 2-6-2018 at 11:15 AM for the petition dated 10-03-2017 to outlet into CD#28; with said public hearings to be held in the Commissioners Room 204 of the Brown County Courthouse, New Ulm, MN; carried.

M/Potter, S/Berg, to bill the landowners on CD#63 the amount of \$341,000 to cover the purchase of the 16.5 foot buffer strip and the 100 foot construction easement as approved at the Redetermination of Benefits on 4-18-2017; carried.

M/Potter, S/Simonsen, to approve seventeen (17) Drainage Repair requests and the payment of said repairs; carried.

M/Potter, S/Berg, to set a bid letting date for the SAP 008-606-006, 008-611-025, 008-613-029, 008-620-031 & 083-606-012 Surface Rehabilitation Projects on CSAH 6, 11, 13 & 20 for 10:00 AM on 2-21-2018 in Commissioner Room 204 located in the Brown County Courthouse, 14 S. State, New Ulm, MN; carried.

M/Berg, S/Potter, to set the bid letting date for seal coat oil for 2018 for 2-14-2018 at 10:00 AM at the Highway Dept. Office; carried.

M/Potter, S/Windschitl, and passed 5-0, to approve Resolution 2018-03 approving the Partnership Agreement Between Brown and Watonwan County for Shoulder Widening & Grading of CSAH 6 and SAP 008-606-006 & SAP 083-606-012.

M/Borchert, S/Potter, to appoint Berg to serve as representative on the Watonwan River Watershed Partnership, "One Watershed, One Plan" Policy Committee, with Simonsen serving as alternate; carried.

M/Windschitl, S/Berg, to approve the application for Assistant Emergency Management Director Santaella to attend the Emergency Management Institute training for E0105 Public Information and Warning being offered beginning 3-28-18 or 6-27-18; and the E0101 Foundations of Emergency Management being offered beginning 4-16-18 in Emmitsburg, MD; noting that if accepted, all travel, lodging, and training expenses will be paid by the federal government; carried.

M/Berg, S/Potter, to approve payment of Human Services administrative claims in the amount of \$179,893.22; carried.

At 9:58 AM, Chairman Simonsen convened a Closed Session to consider Social Services Payments, whereupon M/Borchert, S/ Windschitl, to authorize the payment of Social Services payments in the amount of \$138,690.18; carried and the Closed Session ended at 10:01 AM.

At 10:10 AM, Mr. Dennis Youngerberg met with the County Board. Mr. Gary Roiger from the Stately Township Board and Mr. Mike Tomschin were also present. Upland tiling has caused increased water level in a DNR property in Section 7 of Bashaw Township, which causes excessive water adjacent to the Stately Township road and causes drainage problems downstream. Lengthy discussion ensued about Wetland Conservation Act review performed by county staff when a landowner proposes tiling agricultural lands. Mr. Youngerberg questioned why county review does not also consider where the tiled water goes. Wetland Conservation Act review is limited to insuring wetland protection or mitigation with respect to the land being tiled. The Wetland Conservation Act does not address outlet issues between adjacent landowners. It was noted that about seven (7) landowners use the DNR property as an outlet. Mr. Youngerberg noted that the cost to

clean out the private open ditch outlet late last year was about \$1,650. It was noted that outlet concerns from private tiling systems are a civil matter between landowners when the drainage system is not part of a county ditch system under Minnesota Statutes 103E. After lengthy discussion, the Board requested county staff to prepare an overview of the subject for possible legislative considerations. M/Windschitl, S/Simonsen, to accept and order filed the information from Mr. Dennis Youngerberg on the topic of tiling review and tiling outlets; carried.

M/Borchert, S/Potter, to accept the resignation of Christine Benzing as an Intermittent Part-Time License Bureau Technician effective 12-29-2017; carried.

M/Borchert, S/Windschitl, to accept Jessica Goettl's withdrawal from consideration for the Correctional Officer position, rescind the appointment, and authorize reposting this position; carried.

M/Potter, S/Simonsen, to accept the resignation/retirement of Gwen Schueller, Part-Time Facilities Operator SE effective 2-28-2018, and authorize to post the vacancy for one Part-Time Facilities Operator SE according to policy; carried.

M/Berg, S/Simonsen, to accept and file the report on the plan for the Annual Employee Recognition Day event to be held in April; carried.

M/Potter, S/Windschitl, to appoint Evan Pulford as an IPT Correctional Officer at \$19.1897/hour (Grade XI, Step 1) effective 1-17-2018; carried.

M/Borchert, S/Simonsen, to accept quote #003697v1 in the amount of \$9,153.66 from Marco Technologies for the purchase of WI-FI Access points and Airwave software needed to upgrade network switches related to the county's new phone VoIP system and Courthouse security project; carried 4-0 with Windschitl abstaining. Another quote was received from CDW, a non-local vendor.

M/Windschitl, S/Potter, to accept the quote from Egan Company in the amount of \$38,626 installed for Camera/Video Security and \$45,217 installed for Door Security (including \$35,561.88 for equipment) with a three year warranty noting that the State Safe & Secure Courthouse Initiative grant will pay for approximately 50% of the project cost and the balance will be paid from Revenue Fund 01 reserves utilizing the contingency line item 01-149.6889; carried. Another quote was received from Electro-Watchman.

At 11:05 AM, Chairman Simonsen convened the CD#71 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; Assistant County Engineer Lang; Ditch Viewers Behrends and Christianson; and nine (9) 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. The CD#71 Ditch Authority received the Engineer's Advisory Report dated March 2017. Viewer Christianson presented the Viewers' Report and the Brown County CD#71 Information dated 1-16-2018. It was noted that CD#71 consists of approximately 3.25 miles of open ditch and 36,760 feet of County tile providing drainage benefits to approximately 1,818.13 acres in Cottonwood and Sigel Townships. Paul Manderfeld questioned if existing alfalfa would qualify for the buffer vegetation; It was noted that existing alfalfa qualifies but future re-seeding would be at the expense of the landowner and would also need to comply with the Ditch Authority's seeding requirements. After limited discussion, M/Potter, S/Simonsen, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 71 Redetermination of Benefits; establish the assessment of \$110,000; and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting; passed.

M/Berg, S/Potter, and passed 5-0, to approve Resolution 2018-04 establishing minimum salaries for elected County officials.

M/Potter, S/Windschitl, to table consideration of a resolution designating the County Attorney position as full-time until the 1-23-2018 County Board meeting; passed 3-2, with Berg and Simonsen dissenting.

At 11:38 AM, Chairman Simonsen convened the public hearing for the Consolidation of CD#11 and for the CD#11 Redetermination of Benefits. The public hearing was attended by A/T Prochniak; Assistant County Engineer Lang; 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 that the Notice of Hearing was sent to all landowners of record. A/T Prochniak presented background information on the consolidation of Imp #11, Lat A to Imp #11, and Lat B to Imp #11. No public testimony was received in opposition to the consolidation of Imp #11, Lat A to Imp #11, and Lat B to Imp #11. M/Berg, S/Simonsen, to approve the consolidation of Imp #11, Lat A to Imp #11, and Lat B to Imp #11; passed 5-0.

The CD#11 Ditch Authority received the Engineer's Advisory Report dated April 2017. Viewer Behrends presented the Viewers' Report and the Brown County CD#11 Information dated 1-16-2018. It was noted that CD#11 consists of approximately 9.9 miles of open ditch and 23,405 feet of County tile providing drainage benefits to approximately 6,225.93 acres in Stark and Sigel Townships. It was noted that the one rod buffer strip is an easement. The authority over the county ditch system was reviewed. The cost of installing the 16.5' buffer seeding was questioned. It was noted that buffer seeding installation bids will be acquired for seeding likely in May. Buffer seed mix requirements were also questioned; it was noted that the required seed mix includes long term grasses. The 100' construction easement for open ditches was also reviewed. After considerable discussion, M/Berg, S/Borchert, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 11 Redetermination of Benefits; establish the assessment of \$350,000; and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting; passed 5-0.

At 12:43 PM, Chairman Simonsen convened the CD#68 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; Assistant County Engineer Lang; Ditch Viewers Behrends and Christianson; and nine (9) 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#68 Ditch Authority received the Engineer's Advisory Report dated April 2017. Viewer Christianson presented the Viewers' Report and the Brown County CD#68 Information dated 1-16-2018. It was noted that CD#68 consists of approximately 12.4 miles feet of open ditch and 27,940 feet of County tile providing drainage benefits to approximately 5,698.24 acres in Sigel and Lake Hanska Townships. It was also noted that a portion of the CD#68 open ditch has a fifty foot protected waters buffer strip. Rollie Forstner reported that he had not received the same notification as other landowners about the initial informational meetings. It was noted that Juni Lake is not included in the CD#68 watershed. After considerable discussion, M/Berg, S/Potter, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 68 Redetermination of Benefits, with correction of 14.65 acres that drains into Juni Lake and an adjustment of a 0.48 acre cropland buffer area viewed in 2017; establish the CD#68 assessment of \$404,000; and direct the County Attorney to prepare the Findings of Fact and Order to be considered at a following County Board meeting; passed 5-0.

Correspondence C-1 thru C-6 were accepted and filed. By consensus, the reports of C-7 through C-10 were tabled until the 1-23-2018 County Board meeting.

At 1:35 PM, Calendars were coordinated for the next two week period.

There being no further business, Chairman Simonsen declared the Meeting adjourned at 1:42 PM.

The Official Minutes of the Regular Meeting of 01-16-2018 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)