

SYNOPSIS OF COUNTY BOARD MEETING March 20, 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 3-6-2018 and authorize publication of the Synopsis of same; carried.

M/Borchert, S/Windschitl, to accept and order filed the Feb. 2018 Monthly Report of Activity for the Brown County Sheriff's Dept.; carried.

M/Berg, S/Potter, to authorize payment of General Government claims in the amount of \$107,465.73 as follows: Revenue \$63,673.05; Public Health \$5,383.47; Road and Bridge \$28,826.50; Human Services \$1,170.92; Park \$926.21; Ditch \$7,317.58; SCORE Fund \$168.00. In accordance with MS 375.12, the following claims exceeding \$2,000 are included in the Fund totals above: Alpha Wireless \$2,427.65; Assn of Mn Counties \$2,525.00; Behrends/Mark \$4,530.00; E-911 Independent Emergency Services \$7,289.90; G & S Manufacturing \$2,513.04; Nierengarten & Hippert \$3,408.15; Premier Biotech Inc \$2,040.73; Red Rock Quarry \$17,435.54; Summit Food Service Llc \$3,892.25; Trimin Government Solutions \$20,837. 129 Payments less than \$2,000.00 \$40,566.47; Final Total \$107,465.73; carried.

M/Windschitl, S/Berg, to accept and file the 2017 Annual License Bureau Report, which noted gross motor vehicle license sales of \$8,324,679.40 of which \$8,103,473.40 was submitted to the state and \$221,206.00 in fees was retained by Brown County; and gross driver's license sales of \$205,083.75 of which \$139,503.75 was submitted to the state and \$65,580.00 in fees was retained by Brown County; Sales also included 623 Game & Fish privileges with Brown County retaining \$787.75 and 1,650 Boat/Snowmobile renewals with Brown County retaining \$8,200.50; carried.

M/Windschitl, S/Borchert, to approve the Voluntary Compliance Agreement between Brown County and the MN Commissioner of Revenue for payment of an estimated \$2,502 in unpaid MinnesotaCare Tax for the years 2015-2017; carried.

M/Potter, S/Simonsen, to approve the School Health Nursing Services Agreement with Budget Amendment Feb. 2018 for School District #88 for Non-Public Schools for the 2017-18 school year in the amended total amount of \$68,937.06; passed.

M/Windschitl, S/Berg, to approve the following policy/procedure for Public Health: Administration Section – Confidentiality; passed.

M/Potter, S/Berg, to accept and file the Public Health Update 3-20-2018 on County Health Rankings; Influenza Update; Health Fair Participation; SCHA (South Country Health Appliance) Dental Project; New Shingles Vaccine; Public Health Foundation Webinar; and the Advisory Committee Meeting Minutes 12-13-2017; passed.

M/Windschitl, S/Simonsen, to accept and file the Assessor's Office first quarterly report of 2018 noting the Time Adjusted Ratios used for the 2018 Assessment; and also noting the Certified MN Assessor (CMA) Income Qualified designation earned by Pauline Braulick, and the CMA designation earned by Diane Dunn and Sean Gremmels; carried.

M/Borchert, S/Berg, to approve the Brown County Identification Badge Policy to be added to the Employee Personnel Policy as "Addendum S"; carried.

M/Potter, S/Berg, to approve the appointment of the following 2018 Summer Highway Engineering/Maintenance Students: Gideon Bode, anticipated start date of 5-14-2018, at the 3+ year hourly wage of \$11.00; Conner Jakes, anticipated start date of 5-14-2018, and Zachery Long, anticipated start date of 5-15-2018, at the second year hourly wage of \$10.50; and Brandon Mehlhop, anticipated start date of 4-2-2018, at the first year hourly wage of \$10.00 pending results of pre-employment drug screen and physical exam; carried.

M/Potter, S/Borchert, to approve the MPCA feedlot Program 2017 Annual County Feedlot Officer & Performance Credit report (Data for period 1/1/2017-12/31/2017), and authorize the Board Chair to sign same on behalf of Brown County; carried.

M/Potter, S/Berg, to approve Conditional Use Permit (CUP) Application APP-C-0060 by Cary Lindeman on property owned by James & Carlotta Lindeman on the property described as the NE ¼ excepting a 10.17 acres tract in Section 4, Township 109N, Range 35 W in North Star Township, Brown County, MN to renew an existing CUP to continue to allow a maximum of 900 animal units in a beef finishing operation all located in the A-1 Ag Protection Zoning District, with eleven (11) conditions; carried.

M/Windschitl, S/Berg, to approve CUP Application APP-C-0061 by Loren Hoffman on property owned by West Milford Partnership on the property described as part of Government Lots 6,7, and 8 of Section 31, Township 110 N, Range 31 W, Milford Township, Brown County, MN to renew an existing CUP to continue to allow extraction & storage of sand, gravel, etc. in the existing gravel mine area located in the A-1 Ag Zoning District, with four (4) conditions; carried.

M/Berg, S/Windschitl, to accept and file the 2017 CVSO Annual Report noting services made available to the approximate 1,860 veterans in Brown County; carried.

M/Borchert, S/Potter, to approve payment of Human Services administrative claims in the amount of \$96,647.96; carried.

At 10:36 AM, Chairman Simonsen convened a Closed Session to consider Social Services Payments, whereupon a M/Berg, S/Potter, to authorize the payment of Social Services payments in the amount of \$108,914.41; carried and the Closed Session ended at 10:43 AM.

M/Borchert, S/Potter, to ratify the appointment of Laura Filzen as FT Licensing and Permanency Social Worker at her current Master's level social worker position hourly rate of \$29.9224, Grade XVI, Step 9, effective 3-12-2018; and authorize to post the vacancy for a FT Child Protection Social Worker according to policy; carried.

M/Berg, S/Simonsen, to accept the resignation of Dave Koester, FT Assistant County Veterans Service Officer, effective 6-7-2018, and authorize to post the vacancy for one FT Assistant CVS0 according to policy; carried.

M/Berg, S/Borchert, to accept and file the report of Special Missing in Action Memorial Tribute to Robert F. Niemann planned at the Soldiers Rest Cemetery in New Ulm on 5-12-2018; carried.

At 10:51 AM, Chairman Simonsen convened the CD#3 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Ditch Viewers Mark Behrends and Chris 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 Engineer's Advisory Report dated March 2017 was noted. Viewer Christianson presented the Viewers' Report dated 3-20-2018. CD#3 includes approximately 12,000 feet of open ditch and approximately 1,700 feet of county tile in Sigel and Stark Townships. Suzanne Kral stated that the buffer was already in place adjacent to the open ditch. It was noted that the Redetermination of Benefits will provide for payment to the landowners for the buffer area. No other public testimony was received. Thereafter, M/Potter, S/Berg, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 3 Redetermination of Benefits; establish the assessment of \$75,000; 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 11:03 AM, Chairman Simonsen convened the CD#74 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and four (4) 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 Engineer's Advisory Report dated March 2017 was noted. Viewer Christianson presented the Viewers' Report dated 3-20-2018. CD#74 includes approximately 13,725 feet of County tile in Sigel Township. Gregg Klinkner questioned the large size of the CD#74 fund balance. It was reported that most of the large balance was generated in the early 1970's and that MN Statutes does not allow for refunding part of the balance. No other public testimony was received. Thereafter, M/Berg, S/Potter, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 74 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 5-0.

At 11:18 AM, Chairman Simonsen convened the public hearings for the Consolidation of Lateral A&B of CD 58 & CD58, and for the CD#58 Redetermination of Benefits. The public hearings were attended by A/T Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and three (3) interested landowners of the ditch system. A/T Prochniak noted that the public hearings notice was published as required and that the Notice of Hearings was sent to all landowners of record. A/T Prochniak presented background information on the consolidation of Lateral A&B of CD 58 and CD#58. No public testimony was received. After limited discussion, M/Berg, S/Potter, to approve the consolidation of Lateral A&B of CD58 and CD58; 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.

Thereafter, the CD#58 Ditch Authority received the Engineer's Advisory Report dated April 2017. Viewer Behrends presented the Viewers' Report dated 3-20-2018. It was noted that the Consolidation of Lateral A&B of CD 58 and CD 58 consists of approximately 28,100 feet of open ditch and 25,480 feet of county tile in Sigel, Cottonwood, Lake Hanska, and Linden Townships. No public testimony was received. After limited discussion, M/Berg, S/Potter, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 58 Redetermination of Benefits which includes the consolidation of Lateral A&B of CD#58; establish the assessment of \$175,000; 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 11:27 AM, Chairman Simonsen convened the CD#67 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and three (3) 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 Engineer's Advisory Report dated April 2017 was noted. Viewer Christianson presented the Viewers' Report dated 3-20-2018. CD#67 includes approximately 14,900 feet of open ditch and 14,000 of county tile in Cottonwood and Sigel Townships. Kenneth Portner questioned benefits of 6.13 acres in Section 25 of Sigel Township. It was noted that Mr. Portner has 6.13 acres assessed to CD#67 based on the LIDAR survey system records and an adjusted benefit was assessed due to surface drainage. After discussion, it was noted that this

matter needs to be further reviewed. No other public testimony was received. Thereafter, M/Windschitl, S/Berg, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 67 Redetermination of Benefits with further review by the Viewers of Kenneth Portner's 6.13 acres in Section 25 of Sigel Township; establish the assessment of \$96,000; 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 11:47 AM, Chairman Simonsen convened the public hearing for the Petition to Outlet into CD#70 as filed by Richard, Michael, and Kenneth Griebel to outlet an additional 80.5 acres in CD#70. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and six (6) 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 Petition to Outlet into CD#70, noting that the engineer's report documented the adequacy of CD#70 for the outlet to convey the discharge as petitioned. Viewer Behrends presented the Viewers Report. No public testimony was received. After limited discussion, M/Windschitl, S/Berg, to approve the Petition to outlet an additional 80.5 acres into CD#70 with the petitioners responsible for the petition costs; approve the one-time outlet fee as recommended by the Viewers in the amount of \$50 per acre for the petitioned 80.5 benefitted acres in a total amount of \$4,025; 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 11:55 AM, Chairman Simonsen convened the CD#70 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; County Engineer Stevens; Ditch Viewers Behrends and Christianson; and six (6) 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 Engineer's Advisory Report dated March 2017 was noted. Viewer Behrends presented the Viewers' Report dated 3-20-2018. CD#70 includes approximately 9,400 feet of open ditch and 5,000 feet of county tile in Cottonwood Township. No public testimony was received. M/Berg, S/Potter, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 70 Redetermination of Benefits (including the 80.5 acres petitioned in and approved on this date 3-20-2018); establish the assessment of \$59,000; 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.

M/Berg, S/Potter, to refer the drainage of John Bode's property in the NW4 of Section 19-T108N-R30W in Linden Township to Engineer Penkava, and to Viewers Behrends and Christianson, for recommendation; carried.

At 12:23 AM, Correspondence C-1 thru C-10 were accepted and filed. Borchert reported on the Joint Powers Workforce meeting; Berg reported on the Salary Advisory Committee, the Judicial Ditch #18 meeting, the Redwood-Cottonwood Rivers Control Area meeting on 3-19-2018, and on the Greater Blue Earth River Basin Alliance; Windschitl reported on the Brown County Historical Society, Drug Court Steering Committee, Safety Committee meeting on 3-8-2018, Enterprise North, and the Park Commission meeting on 3-19-2018; Simonsen reported with Potter on the Joint Redwood/Brown Ditch meeting on 3-15-2018, and reported on the Underage Substance Abuse Coalition meeting on 3-15-2018, the Brown SWCD meeting, the Salary Committee meeting, and on the MnDNR Ditch Dilemma Workshop first day session on 3-19-2018.

At 1:08 PM, Calendars were coordinated for the next two week period.

There being no further business, Chairman Simonsen declared the Meeting adjourned at 1:12 PM.

The Official Minutes of the Regular Meeting of 03-20-2018 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 Home Page Address: www.co.brown.mn.us