

SYNOPSIS OF COUNTY BOARD MEETING April 17, 2018

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

M/Berg, S/Borchert, to accept the Minutes of 4-3-2018 and authorize publication of the Synopsis of same; carried.

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

M/Windschitl, S/Potter, to authorize payment of General Government claims in the amount of \$215,425.27 as follows: Revenue \$132,503.66; Public Health \$7,055.11; Road and Bridge \$50,312.95; Human Services \$922.62; Park \$462.18; Ditch \$5,898.00; Landfill Fund \$18,192.75; SCORE Fund \$78.00. In accordance with MS 375.12, the following claims exceeding \$2,000 are included in the Fund totals above: Alpha Wireless \$2,427.65; Behrends/Mark \$3,899.88; Brown Co Economic Dev Partners Inc \$10,000.00; Bureau of Criminal Apprehension \$2,400.00; Egan \$50,305.80; Full Service Electric \$2,969.18; GEI Consultants Inc \$18,152.75; Loffler Companies Inc \$20,379.79; MCCC MI 33 \$12,620.75; New Ulm/City Of \$13,250.67; Pauls Electric Inc \$7,335.27; Shopko Pharmacy \$2,052.02; Sleepy Eye/City of \$16,182.82; Springfield/City of \$3,955.80; Trane U.S. Inc \$3,217.50. 111 Payments less than \$2,000.00 \$46,275.39; Final Total \$215,425.27; carried.

M/Windschitl, S/Berg, to approve the FY 2018 State of MN Board of Water and Soil Resources Drainage Records Modernization Match Program Grant Agreement in the amount of \$42,500 and authorize the Board Chairman to sign said agreement; carried.

M/Berg, S/Potter, to accept the petition dated 4-11-2018 from John Bode to outlet 25.05 acres into CD#63; appoint viewers Behrends Group to make a determination as to the outlet fee and establish benefits for future repairs and maintenance; and noting that all costs incurred with these proceedings are the responsibility of the petitioner, including but not limited to: the outlet fee, publication of the public hearing, mailing notices to landowners on said drainage system, viewer and engineer expenses, and the future benefits assigned to the 25.05 acres; carried.

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

M/Potter, S/Berg, to accept the quote received from Tony's Outdoor Services for buffer strip seeding in the amount of \$135.70 per acre (estimated total \$18,835.16) for approximately 139 total acres to include buffer areas of CD#8, CD#11, CD#58, CD#63, CD#67, CD#68, CD#70, and CD#71; carried. Three other bids were received from Evergreen Companies, Erosion Control Plus, and Next Level Services.

M/Potter, S/Borchert, and passed 5-0 to approve Resolution 2018-12 approving the Roundabout at TH 4 and CSAH 29, and the Cooperative Construction Agreement, MnDOT Contract No. 1030655, S.P. 0802-45.

M/Borchert, S/Potter, to accept the low quote of \$7,190 from H&H Electric to convert from metal halide and mercury vapor lighting fixtures to LED lighting in the County Highway Shop buildings in Springfield, understanding that a utility rebate of \$900 is estimated upon completion of this energy efficiency project; carried. One other quote was received from L and S Electric.

M/Potter, S/Berg, to approve the four-year appointment (5-1-2018 thru 4-30-2022) of Wayne Stevens as Brown County Highway Engineer in accordance with MS 163.07; carried.

M/Windschitl, S/Simonsen, to authorize posting for a PT Heartland Express Bus Driver, up to 28 hrs/wk, according to policy; carried.

M/Berg, S/Simonsen, to appoint John Schotzko as FT Assistant County Veterans Service Officer at the hourly rate of \$23.1224, Grade XIII, Step 3, with anticipated start date of 5-14-2018; carried.

M/Potter, S/Windschitl, to approve the quote of \$3,242.44 (which includes carpet removal, new carpet, vinyl base and labor) from New Ulm Furniture Co., Inc. to replace carpet in the Court Administration Office; carried. An additional quote was received from Design Home Center Inc. It was noted that the carpeting is needed in relation to the Safe and Secure Courthouse Initiative Grant project and will be funded with county funds through the contingency line item 01-149-0225.6889.

M/Borchert, S/Berg, to approve the Contract with Independent Caretaker Maintenance Agreement with Jeffrey Hoffmann to serve as Park Caretaker for the 2018 park season (4-17-18 thru 10-15-18) for Lost Dog & Fox Hunter's County Park in the amount of \$3,500 and mileage compensation from Lost Dog & Fox Hunter's County Park to the Brown County Landfill for necessary park waste disposal at a rate of \$.545 per mile; carried.

M/Windschitl, S/Potter, to approve Conditional Use Permit (CUP) Application APP-C-0062 by Matthew Lux on property owned by Schwartz Bros Inc. on the property described as that part of the SE 1/4 of Section 17, Township 109N, Range 33 W in Leavenworth Township, Brown County, MN to renew and amend an existing CUP to continue to allow use of corporate office building and to allow a 56' X 200' expansion to the existing office building all located in the A-1 Ag Protection Zoning District, with two (2) conditions; carried.

At 10:05 AM, the County Board considered the CUP Application APP-C-0063 by Jason Ver Steeg of Duininc Inc. on property owned by Charles Kotten. Approximately twelve (12) citizens attended the County Board meeting with respect to said CUP Application. The Commissioners reviewed a petition signed by area

residents which expressed safety concerns related to access on narrow, hilly roads. Several citizens noted concerns of traffic and road safety; proximity of the proposed hot mix plant to the Cottonwood River and protection of the Cottonwood River if there would be a spill related to the proposed CUP; safety concerns related to the existence of a day care facility in the area; potential effects upon the existing residentially used properties; concerns of location with respect to access on hilly roads; and the need for trespassing control. Sheriff Hoffmann responded to a question of road safety and noted that the township roads in the area are curvy and hilly. On behalf of Duinick Inc., Jason Ver Steeg stated that he recognized the safety concerns of neighbors with respect to additional truck traffic. He shared information about the Duinick Company that has been in business for about ninety years and is based in Prinsburg, MN. Mr. Ver Steeg noted Duinick Company's safety mission and safety training of Duinick employees, and the daily operations meetings with Duinick staff. Mr. Ver Steeg noted also that the Cottonwood River would be protected from any potential environmental effects of the proposed use. Sylvan Schumacher from the Leavenworth Township Board noted concern of the curved bridge and the steep hill that exists which results in safety concerns on township road.

After hearing testimony from those present, Commissioner Windschitl noted that he had viewed the property and the access roads which are narrow, hilly, and curved, with blind hills causing safety concerns. Commissioner Borchert noted that he also had viewed the property and expressed concern of township roads, hills, visibility, and safety concerns. Commissioner Simonsen noted the unique geographic features of the location which cause safety concerns. Commissioner Potter had noted that he personally reviewed the area and that the roads to the site are not conducive to adding more truck traffic due to safety concerns, and also referenced the Brown County Land Use Plan which states the goal of protecting the health, safety, and welfare of Brown County citizens. Commissioner Berg noted the efforts of the applicant to comply with the CUP requirements. After considerable discussion, M/Potter, S/Borchert, to adopt the Planning & Zoning Commission recommendation to deny the CUP Application APP-C-0063 by Jason Ver Steeg of Duinick Inc. on property owned by Charles Kotten on the property described as the West ½ of the NE ¼ of Section 13, T109N, R33W, Leavenworth Township, Brown County, MN to allow use of a mining operation to include screening, crushing, washing, and stockpiling of gravel and granular materials as well as operation of a portable hot mix asphalt plant on a temporary, periodic basis all located in the A-1 Ag Zoning District; thereby concurring with the Planning & Zoning Commission which held the required public hearing on 4-10-2018 where it was determined that: 1. The use will create an excessive burden on the public roads that serve the area; 2. The use is not in conformance with the Comprehensive Land Use Plan because it may cause a safety concern; One of the goals of the Land Use Plan is to maintain a safe and efficient transportation system. 3. The use will create a traffic hazard and traffic congestion with all the added trucks to a road that is hilly and has curves; the motion to adopt the P&Z Commission recommendation to deny the conditional use permit application carried on a vote of 4-1, with Commissioner Berg dissenting.

M/Potter, S/Windschitl, to approve Preliminary Plat Application P-0030 by Patrick and Amy Vogel known as Vogel 6th Subdivision (4.15 Acres) on the property described as the West ½ of the SE ¼ & balance of the West ½ of the NW ¼ of Section 30, T109N, R34W, Burnstown Township, Brown County, MN; Parcel being platted is an existing wood lot being split off from the tilled ground; carried.

M/Berg, S/Borchert, to approve payment of Human Services administrative claims in the amount of \$101,214.40. In accordance with MS 375.12 the following claims exceed \$2,000: Americare Mobility Van Inc. \$3,555.94; Brown Co Probation Dept. \$2,562.50; Brown Co Public Health Nursing \$3,000.00; Confidential Client \$2,154.96; Confidential Client \$2,240.15; Dell Marketing LP \$7,198.71; Greater MN Family Services \$11,955.26; MN Human Services \$14,441.62; NU Telecom \$2,064.41; Pro Kinship for Kids \$2,275.00; 188 payments less than \$2,000 total \$49,765.85; Final Total \$101,214.40; carried.

M/Windschitl, S/Berg and passed 5-0 to approve Resolution 2018-13 in regards to authorizing the agreement between Brown County Human Services/Brown County Heartland Express and the State of MN to provide continuing operating funds under the Transit Service Expansion Program.

At 11:24 AM, Chairman Simonsen convened a Closed Session to consider Social Services Payments, whereupon a M/Borchert, S/Simonsen, to authorize the payment of Social Services payments in the amount of \$174,277.98; carried and the Closed Session ended at 11:27 AM. In accordance with MS 375.12 the following claims exceed \$2,000: Wings Guardianship Services \$2,276.00; Kindred Family Focus \$4,059.45; Confidential Client \$3,457.50; DHS – MAPS \$2,364.66; Forensic Nursing Home \$4,802.60; MBW Company SILS Program \$4,462.88; Southwestern Youth Services \$2,160.00; Dept of Human Services CCDTF \$8,941.68; Spurgin/Gerane \$4,141.58; Brown Co Evaluation Ctr \$6,149.99; DHS – MNSOP \$7,681.80; MRCI 7,954.91; Village Ranch Inc \$6,293.00; MN Valley Action Council \$26,727.43; Sioux Trails Mental Health Ctr \$15,923.74; DHS – St Peter RTC – 482 \$7,410.40; DHS St Peter RTC – 472 \$4,767.20; Habilitative Services Inc SILS \$2,457.68; Prairie Lakes Youth Programs \$27,811.80. 46 payments less than \$2,000 total \$24,433.68; Final Total \$174,277.98.

Correspondence C-1 thru C-7 were accepted and filed. Borchert reported on the Brown County Townships Association meeting on 4-11-2018 and reported with Simonsen on the Sioux Trails Mental Health Center ad hoc committee meeting on 4-13-2018; Windschitl reported with Borchert on the Brown County Historical Society committee meeting on 4-9-2018, and further reported on the Brown County Historical Society Board meeting on 4-9-2018, with Simonsen on the Health Insurance Committee meeting on 4-11-2018,

and the Heart of New Ulm meeting on wellness with Public Health; Simonsen reported on the Brown SWCD, and on the Brown/Nicollet Community Health Board interview meeting; Potter reported on Area II, Redwood-Cottonwood Rivers Control Area, and on the Public Health Advisory Committee meeting on 4-11-2018.

At 11:38 AM, Calendars were coordinated for the next two week period.

There being no further business, Chairman Simonsen declared the Meeting adjourned at 11:45 AM.

The Official Minutes of the Regular Meeting of 04-17-2018 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