

SYNOPSIS OF COUNTY BOARD MEETING

December 18, 2018

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

M/Potter, S/Berg, to accept the Minutes of 12-11-2018 and authorize publication of the Synopsis of same; carried.

M/Potter, S/Berg, to approve twenty-three (23) Drainage Repair requests and the payment of said repairs; carried.

M/Berg, S/Potter, to accept and file the Highway Dept. Monthly Update for Construction Projects and Maintenance Projects; carried.

M/Windschitl, S/Simonsen, to approve the FY 2019 State of MN Board of Water and Soil Resources MPCA SSTS Program Grant Agreement for Grant Program P19-3120 2019-Septic Treatment Systems in the amount of \$18,600; carried.

M/Windschitl, S/Borchert, to propose for public hearing notice an increase in the On Sale 3.2 Percent Malt Liquor License from \$20 to \$100; the Off Sale 3.2 Percent Malt Liquor License from \$20 to \$100; and the 3.2 One Day License from \$10 to \$30; passed.

M/Windschitl, S/Borchert, to propose for public hearing notice the removal of the maximum for the Planning & Zoning fee for an Ag Structure; passed 4-1, with Simonsen dissenting.

M/Borchert, S/Simonsen, to schedule a public hearing at 11:00 AM on Tuesday 1-22-2019 in the Commissioners Room 204 of the Brown County Courthouse, New Ulm, MN for 3.2 Percent Malt Liquor Licenses fee revisions and at 11:15 AM for Planning & Zoning Office fee revisions in the Brown County Fee Schedule; carried.

M/Windschitl, S/Simonsen, to table consideration of a Mini-Grant Application to the Statewide Health Improvement Partnership (SHIP) towards the purchase of two (2) hydration stations in order to research the possibility of an application for more than two (2) county building installations; motion to table carried.

M/Windschitl, S/Borchert, to approve the MOU (Memorandum of Understanding) between Federally Qualified Health Center (Health Resources and Services Administration) and Rural Health Clinics (Centers for Medicare & Medicaid Services) and Brown County Public Health and MN Dept. of Health for Deputizing and Oversight of Public Health Departments to Provide Vaccines for Children (VFC) Purchased Vaccine to Entitled Underinsured Children effective 12-1-2018 thru 11-30-2023 that gives a delegation of authority to Brown County Public Health to give MnVFC (MN Vaccine for Children) to underinsured children; carried.

M/Windschitl, S/Berg, to approve the Amendment to the South Country Health Alliance (SCHA) Provider Participation Agreement for revisions to SCHA Products and Reimbursement to Brown County Public Health effective 1-1-2019; carried.

M/Borchert, S/Berg, to approve payment of Human Services administrative claims in the amount of \$138,800.42. In accordance with MS 375.12 the following claims exceed \$2,000: Brown Co Public Health \$3,000.00; Greater MN Family Services \$5,037.13; Leading Edge Landscapes \$13,380.00; MN Human Services \$30,406.00; MN Valley Funeral Home \$4,650.00; PRO Kinship \$2,250.00; Superior Mobility \$2,168.24; US Postal Service \$10,000.00; Verizon \$2,855.78; Two hundred one payments less than \$2,000 total \$65,053.27. Final total \$138,800.42; carried.

M/Potter, S/Berg, to appoint Claire Schwarz as FT Case Aide in the Adult Mental Health unit of Human Services at the 2019 hourly wage of \$18.3609 (Grade X, Step 1) with a start date of 1-7-2019 contingent on the results of the pre-employment screenings; passed.

M/Berg, S/Simonsen, to rescind the 11-20-2018 approval of the contingent appointment of Barbara Johnson as an IPT Dispatcher, and withdraw the conditional offer of employment to Barbara Johnson for said position; passed.

M/Potter, S/Berg, to approve the purchase of Steelcase office furniture for the Community Based Coordinator position from General Office Products in the state contract amount of \$1,343.18; passed 5-0. A second quote from River Bend Business Products was considered; said quote was not for Steelcase furniture which is needed to fit together with furniture left over from various offices in the Community Services Building.

At 10:03 AM, Chairman Simonsen convened a Closed Session to consider Social Services Payments, whereupon M/Borchert, S/Simonsen, to authorize the payment of Social Services payments in the amount of \$243,991.16; carried and the Closed Session ended at 10:15 AM. In accordance with MS 375.12 the following claims exceed \$2,000: Anoka County Corrections \$6,450.00; Brown Co. Evaluation Center \$6,460.00; CBHH-Alexandria \$7,260.00; Dept. of Human Services CCDTF \$8,443.96; DHS – MAPS \$2,364.66; DHS MNSOP \$3,916.50; DHS St. Peter RTC - 472 \$5,964.00; Families First Collaborative \$30,210.00; Forensic Nursing Home \$2,541.00; Gehring/Emily & Joseph \$2,171.20; Gerard Nexus \$2,711.93; Confidential Client \$4,357.50; Habilitative Services Inc SILS \$2,741.61; MBW Company SILS Program \$4,107.97; Minnesota Girls Academy \$8,945.30; MN Valley Action Council \$14,270.94; MRCI \$7,934.39; Confidential Client \$3,856.70; Prairie Lakes Youth Programs \$26,985.33; Confidential Client \$2,033.70; Second Chances \$8,100.00; Sioux Trails

Mental Health Ctr \$16,403.97; Southwestern Youth Services \$3,060.00; Spurgin/Gerane \$4,875.60; Confidential Client \$3,991.59; Three Counties or Kids \$11,173.00; Volunteers of American MN \$5,956.80; Woodland Hills \$11,039.52; Woodland Hills Chisholm House Short Term \$2,588.93. 39 payments less than \$2,000 total \$23,075.06; Final Total \$243,991.16.

M/Windschitl, S/Potter, to accept and file the Nov. 2018 Budget Report (Cash Basis and Unaudited) which reflects activity at 91.7% of the budget year as follows: expenditures of \$30,297,145.34 or 91.2%, and revenues of \$32,208,321.18 or 92.5%; and the Nov. 2018 Supplemental Budgets Report noting expenditures of \$2,373,533.09 or 78.4%, and revenues of \$1,741,835.46 or 73.7% of annual budgeted activity; passed.

M/Potter, S/Berg, to adopt the certified levy for 2019 in the amount of \$13,259,717 resulting in a 1.5% increase from the 2018 certified levy; and to adopt the 2019 Brown County Budget for revenues and expenditures in the amount of \$37,349,957 resulting in a 7.2% increase from 2018; and instructed the County Administrator to both certify the adopted levy to the Brown County Auditor/Treasurer and submit the summary of the adopted 2019 Brown County Budget for publication; carried 5-0.

M/Potter, S/Borchert, to approve the following 2019 Supplemental Budgets: Law Library Rev. & Exp. \$19,250; CoAtt – Forfeitures Rev. & Exp. \$5,500; Sheriff Contingent Rev. & Exp. \$3,000; Snowmobile Safety Rev. & Exp. \$3,399; Jail Commissions Rev. & Exp. \$9,000; 911 Emergency Tele. Rev. & Exp. \$107,406; Septic Loan Prog. Rev. & Exp. \$182,693; Building Fund Rev. \$213,857 & Exp. \$210,136; Ditch Fund Rev. & Exp. \$63,950; Landfill Fund Rev. \$1,227,829 & Exp. \$1,305,675; SCORE Rev. \$119,447 & Exp. \$157,415; carried 5-0.

At 11:05 AM, Chairman Simonsen called to order a public hearing to receive input from the public regarding the continuation of a Local Option Sales Tax for Transportation. Highway Engineer Stevens noted that affidavits of publication for the public hearing will be on record in the Highway Engineer's Office and presented information on said proposal. No input from the public was received at the public hearing. The public hearing was closed at 11:12 AM. After considerable discussion, the County Board approved Resolution No. 2018-36 for the continuation of ½% County Sales Tax for Transportation as follows: Resolution No. 2018-36, CONTINUATION OF ½% COUNTY SALES TAX FOR TRANSPORTATION. The following Resolution was offered by Commissioner Windschitl and moved for adoption at a Regular Meeting held on December 18, 2018 at the Brown County Courthouse, New Ulm, MN:

WHEREAS, Brown County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development; and

WHEREAS, the County's 2016–2020 Five Year Road & Bridge Construction Program identified \$25,950,000 in program funding shortfall; and

WHEREAS, funding for the highway systems in Minnesota has failed to keep pace with growing population and growing demands; and

WHEREAS, a ½ % sales tax for transportation collected for Brown County will stay in Brown County; and

WHEREAS, the 2008 Minnesota State Legislature authorized a local option sales tax for transportation, (Chapter 152); and

WHEREAS, the 2013 Minnesota State Legislature authorized the removal of the requirement for holding a referendum in order to impose the tax (Chapter 117, Article 3, Section 25); and

WHEREAS, Chapter 117, Article 3, Section 26, Subd. 2 of the 2013 Session Laws further requires that the proceeds of the tax must be dedicated exclusively to payment of the capital cost of specific transportation projects designated by the County Board, and that the tax must terminate when revenues raised are sufficient to finance the projects; and

WHEREAS, the Brown County Board of Commissioners implemented such a sales tax in the second quarter of 2016; and

WHEREAS, the Brown County Board of Commissioners initially designated a surface rehabilitation project on County State Aid Highway (CSAH) 29 from Trunk Highway 4 to County State Aid Highway 12 for funding by the County Local Option Sales Tax for Transportation; and

WHEREAS, the Brown County Board of Commissioners desires to continue such a sales tax for additional projects after the CSAH 29 project is completed; and

WHEREAS, the Brown County Board of Commissioners has designated the following additional projects for funding by the County Local Option Sales Tax for Transportation:

- CSAH 13 from Hanska to New Ulm in 2021 \$3,700,000 estimated sales tax cost
- CSAH 20 from CSAH 13 to TH 15 in 2022 \$1,050,000 estimated project cost
- CSAH 20 from CSAH 16 to TH 4 in 2023 \$2,100,000 estimated project cost
- CSAH 27 from TH 14 to CSAH 11 in 2026 \$2,100,000 estimated project cost

NOW THEREFORE BE IT RESOLVED THAT the Brown County Board of Commissioners authorizes the continuation of a ½ % sales tax as provided for in Minnesota State Statute after sufficient funds have been raised for the previous CSAH 29 project and continuing thereafter until sufficient funds are available to construct the additional four projects identified.

IT IS FURTHER RESOLVED that the provisions of Minn. Stat. Section 297A.99, subdivisions 4, and 6 thru 13 shall govern the imposition, administration, collection, and enforcement of the tax.

Seconded by Commissioner Berg and carried 5-0.

Correspondence C-1 thru C-6 were accepted and filed. Berg reported on Public Health, the State Community Health Advisory Committee, and the JD#10 B&BE meeting on 12-17-2018; Windschitl reported on Heartland Express, the Labor/Management Safety Committee, Enterprise North, and the JD#10 B&BE meeting on 12-17-2018; Simonsen reported on the MN Extension Service and the Soil & Water Conservation District; Potter reported on the MN Extension Service and the JD#10 B&BE meeting on 12-17-2018.

Calendars were coordinated for the next two week period.

At 11:26 AM, Chairman Simonsen recessed the Regular meeting and the County Board meeting reconvened at 1:00 PM.

At 1:00 PM, Chairman Simonsen convened the CD#45 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; Assistant County Engineer Lang; Ditch Viewers Mark Behrends and Kendall Langseth; and six (6) interested landowners. 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 11-28-2018 was noted. Viewer Behrends presented the Viewers' Report dated 12-17-2018. CD#45 includes approximately 3,200 feet of open ditch and about 945 feet of county tile (that appear not to be working). CD#45 is located in Home Township. Chairman Simonsen called for public testimony on the proposed abandonment of portions of CD#45 that were shown on the original ditch plans but were never constructed. There was no public testimony received. M/Windschitl, S/Potter, to approve the abandonment of portions of CD#45 that were listed in the original design but were never constructed (Main open ditch: Commencing at the intersection with Sleepy Eye Lake in the SW ¼ of the SE ¼ Section 20-T110N-R32W, thence northerly for a distance of 850 feet (stations 46+00 to 54+50) and terminating in the SW ¼ of the SE ¼ Section 20-T110N-R32W, all in Brown County, MN; and Branch 3 Tile: Commencing at the intersection with the Main Open Ditch in the NW ¼ of the NE ¼ in Section 20-T110N-R32W, thence northwesterly through the NW ¼ of the NE ¼ of Section 20-T110N-R32W and terminating in the NE ¼ of the NW ¼ in Section 20-T110N-R32W, all in Brown County, MN; motion to abandon passed 5-0.

Chairman Simonsen called for public testimony on the proposed Redetermination of Benefits of CD#45. There was no public testimony received. M/Potter, S/Berg, to accept the CD#45 Viewers' Report and the Engineer's Report; approve the County Ditch No. 45 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.

M/Windschitl, S/Simonsen, to establish a CD#45 assessment of \$18,000 with 4% interest to accrue after sixty days; passed 5-0.

At 1:19 PM, Chairman Simonsen convened the CD#60 Redetermination of Benefits public hearing. The public hearing was attended by A/T Prochniak; Assistant County Engineer Lang; Ditch Viewers Mark Behrends and Kendall Langseth; and six (6) interested landowners. 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 11-28-2018 was noted. Viewer Behrends presented the Viewers' Report dated 12-18-2018. CD#60 includes approximately 40,500 feet of open ditch and about 60,905 feet of county tile in Prairieville and Leavenworth Townships. A question was raised as to the size of JD#30 which is the outlet for CD#30; said information was not known at the public hearing. A request was made to insure application for all possible FEMA assistance for flood damages to CD#60. No other public testimony was received. M/Potter, S/Berg, to accept the Viewers' Report and the Engineer's Report; approve the County Ditch No. 60 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.

M/Berg, S/Potter, to establish a CD#60 assessment of \$317,000 with 4% interest to accrue after sixty days; passed 5-0.

There being no further business, Chairman Simonsen declared the Meeting adjourned at 1:40 PM.

The Official Minutes of the Regular Meeting of 12-18-2018 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