

**McLEOD COUNTY
BOARD OF COMMISSIONERS
MEETING MINUTES – November 7, 2017**

CALL TO ORDER

The regular meeting of the McLeod County Board of Commissioners was called to order at 9:00 a.m. by Chair Joe Nagel at the Glencoe City Center. Commissioners Pohlmeier, Shimanski, Wright and Krueger were present. Administrative Assistant Donna Rickeman, County Attorney Michael Junge and Interim County Administrator/County Auditor-Treasurer Cindy Schultz Ford were also present.

PLEDGE OF ALLEGIANCE

CONSIDERATION OF AGENDA ITEMS

Pohlmeier/Krueger motion carried unanimously to approve the agenda.

CONSENT AGENDA

- A) October 17, 2017 Meeting Minutes and Synopsis.
- B) October 13, 2017 Auditor's Warrants.
- C) October 16, 2017 Auditor's Warrants.
- D) October 18, 2017 Auditor's Warrants.
- E) October 20, 2017 Auditor's Warrants.
- F) October 23, 2017 Auditor's Warrants.
- G) October 27, 2017 Auditor's Warrants.
- H) Approve renewal of maintenance agreement with Northland Business systems for maintenance of the Sheriff's Office voice logger for the amount of \$3,771.00.
- I) Approve renewal of contract for Registered Nursing Services between McLeod County Public Health and McLeod Treatment Programs at a contracted hourly rate of \$61.46, which is the same hourly rate as last year. There are no changes to the contract.
- J) Approve annual contract for 2018 with Brown County Evaluation Center (New Ulm, MN) for detoxification and evaluation services. Rate: \$411 per patient per 24-hour period from admission time. Cost reflects 12.6% increase/\$36/day for 2018 while their actual budget increase 2018 is only 1.4%. This is our main Detoxification and Evaluation Service provider. Cost increase is necessary for two reasons:
 - 1. they are now unable to bill Blue Plus insurance as they no longer reimburse detox services as in past; and,
 - 2. BCEC's days of service are down over 200 client days, year to date, resulting in a decrease in their revenue.

- K) Approve Crisis Housing Fund – Employee Dishonesty Certification Agreement.
- L) Approve the Sale of Cigarette and other Tobacco Products License for Dollar General in Silver Lake, MN from January 1, 2018 through December 31, 2018.
- M) Approve the Sale of Cigarette and other Tobacco Products License for Neisen's Bar & Grill Inc. in Glencoe, MN from January 1, 2018 through December 31, 2018.
- N) Approve Conditional Use Permit 17-20 requested by Randy and Dillan Peterson of Randy's Bobcat Services for mining, stockpiling and screening on property owned by Gary Hemmann. The restoration will be for wild life purposes. This property is located within 5 Acres of 159.80 Acres of the SE ¼ of the NW ¼ of the SE ¼, Section 16 in Hassan Valley Township.
Hassan Valley Township recommended approval on September 12, 2017. The Planning Advisory Committee recommended approval on October 25, 2017 with the following conditions:
 - 1. The hours of operation shall be 6:00 A.M to 8:00 P.M. Saturdays from 7 A.M. to 12:00 P.M., if needed.
 - 2. A letter of credit or bond in the amount of \$6,000.00 shall be submitted to the Zoning Office prior to the County Board meeting on November 7, 2017.
 - 3. The haul route shall be adhered to as presented. Proper dust control must be applied.
 - 4. No wetland or floodplain impacts shall take place unless prior approval from any agency with jurisdiction.
 - 5. Applicant shall apply for a DNR Dewatering Permit, if needed.
 - 6. Applicant shall follow restoration plan with back sloping at a 4:1 grade.
 - 7. Applicant shall notify Zoning Office as restoration takes place so an inspection can be made.
 - 8. All other local, State and Federal agencies permits shall be obtained and maintained.

Krueger/Wright motion carried unanimously to approve the consent agenda.

PAYMENT OF BILLS – COMMISSIONER WARRANT LIST

Road and Bridge Fund	\$122,645.72
Solid Waste Fund	\$40,101.09
Special Revenue Fund	\$207,642.41
Capital Projects Fund	\$43,092.25

Shimanski/Pohlmeier motion carried unanimously to approve payment of bills totaling \$413,481.47 from the aforementioned funds.

PUBLIC HEALTH – Director Jennifer Hauser, Public Health Nurse, Health Educator Kerry Ward and Minnesota Department of Health Holly Glaubitz

- A) Holly Glaubitz presented McLeod County Public Health a Breastfeeding Friendly Health Department Award from the Minnesota Department of Health (MDH) for its contributions to the health of mothers and their babies.

The designation acknowledges a county health department's commitment to acting as a model for the community by supporting healthy families and receiving the business benefits of supporting nursing mothers.

MDH recognizes county health departments, workplaces, maternity centers and child care facilities that have demonstrated their commitment to supporting breastfeeding mothers.

SOCIAL SERVICES – Director Gary Sprynczynatyk

- A) Gary Sprynczynatyk requested approval to hire a new Regional Housing Specialist with reimbursement from SW Adult Mental Health Consortium at 105%.

This item was removed from the agenda due to other partnership opportunities being researched.

Shimanski/Pohlmeier motion carried unanimously to hire a new Regional Housing Specialist with reimbursement from SW Adult Mental Health Consortium at 105%.

AUDITOR-TREASURER - Auditor-Treasurer Cindy Schultz Ford

- A) Cindy Schultz requested approval to transfer \$200,000 from the General Fund reserves to the Fairgrounds Capital Repairs special revenue account.

This transfer would help to pay for major repairs to the Fairgrounds buildings such as commercial building floor and pavilion.

Wright/Krueger motion carried unanimously to approve the transfer of \$200,000 from the General Fund reserves to the Fairgrounds Capital Repairs special revenue account.

- B) Cindy Schultz requested approval of \$140 rent per acre for 7.5 acres of property north and west of the Health and Human Services building on Ford Avenue in Glencoe, MN for Mark Ahlbrecht (Lester Prairie, MN) effective Crop-Year 2018 with rent due October 31, 2018.

Mark Ahlbrecht has been renting the property north and west of the Health and Human Services building on Ford Avenue in Glencoe, MN for eight years from the county. His wish is to continue to rent our land in 2018. He owns and operates the land that is adjacent to the county property. The rent agreement is effective November 1, 2017 to October 31, 2018.

Wright/Krueger motion carried unanimously to approve \$140 rent per acre for 7.5 acres of property north and west of the Health and Human Services building on Ford Avenue in Glencoe, MN for Mark Ahlbrecht (Lester Prairie, MN) effective Crop-Year 2018 with rent due October 31, 2018.

ROAD AND BRIDGE – Engineer John Brunkhorst

- A) John Brunkhorst requested approval of an agreement for professional services from Ayres Associates Inc. (Madison, WI) for 4” orthoimagery services at a total cost of \$53,532.60.

Other prices received include: Surdex Corporation (Chesterfield, MO) \$59,200; Sanborn, Inc. (Colorado Springs, CO) \$71,324.37; Continental Mapping Consultants, Inc. (Sun Prairie, WI) \$81,587.15; Mapping Resources Group, Inc. (Flagler Beach, FL) \$105,493.

The cities of Glencoe, Hutchinson, and Silver Lake have committed \$5,685, \$14,328, and \$845 respectively toward this project. Other cities may join in. The Recorder’s Office Compliance Fund has authorized \$34,000 to cover the remaining amount plus unforeseen miscellaneous expenses.

The orthoimagery (high accuracy aerial photos) is heavily used by numerous County Departments, Cities, SWCD, State, the general public, and others. The last time the imagery was updated was 2014.

Shimanski/Pohlmeier motion carried unanimously to approve an agreement for professional services from Ayres Associates Inc. (Madison, WI) for 4” orthoimagery services at a total cost of \$53,532.60 with funding of \$5,685 from Glencoe, \$14,328 from Hutchinson, \$845 from Silver Lake and not to exceed \$34,000 from McLeod County Recorder’s Office Compliance Fund.

- B) John Brunkhorst gave an update on bridge L5809 located on County Road 90 (Koala Road) immediately north of County Road 11. This bridge was closed on October 17, 2017 due to structural concerns that were identified during a recent safety inspection.

Bridge inspectors discovered portions of the wooden substructure were severely decayed and deteriorated, prompting the bridge closure.

Replacement of the wooden bridge with a box culvert would be the most feasible option. Estimated cost to complete is \$150,000 with possible state bridge funds to help accelerate project.

- C) John Brunkhorst requested adoption of Resolution 17-RB06-35 for the 2017-2020 bridge program.

This is required by MnDOT State Aid to obtain funding. It is used by their office to prioritize bridges on a statewide level. It also helps them get a handle on the amount of bridge replacements statewide and the amount of funding needed when they approach the legislature.

Pohlmeier/Shimanski motion carried unanimously to adopt Resolution 17-RB06-35 for the 2017-2020 bridge program.

- D) John Brunkhorst requested authorization to proceed with letting date of November 28, 2017 at 1:00 p.m. for SAP 43-598-015, bridge L5809 replacement on CR 90.

Wright/Krueger motion carried unanimously to authorize letting date of November 28, 2017 at 1:00 p.m. for SAP 43-598-015, bridge L5809 replacement on CR 90.

- E) John Brunkhorst requested authorization for County Engineer and County Auditor/Treasurer to execute the forthcoming MnDOT Local Bridge Replacement Program Grant Agreement for SAP 43-598-015. This is required for the County to obtain State bridge bond funds.

Nagel/Krueger motion carried unanimously to authorize County Engineer and County Auditor/Treasurer to execute the forthcoming MnDOT Local Bridge Replacement Program Grant Agreement for SAP 43-598-015.

- F) John Brunkhorst requested adoption of Resolution 17-RB07-36 for the MnDOT Local Bridge Replacement Program Grant Agreement for SAP 43-598-015.

Resolution states McLeod County will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required.

Shimanski/Pohlmeier motion carried unanimously to adopt Resolution 17-RB07-36 for the MnDOT Local Bridge Replacement Program Grant Agreement for SAP 43-598-015.

- G) John Brunkhorst requested approval of quote for \$45,680 from Forterra (Maple Grove, MN) for precast box culvert materials for SAP 43-598-015 (bridge L5809 replacement on CR 90); contingent upon authorization and funding approval from MnDOT State Aid.

Additional quote: Hancock Concrete (Hancock, MN) \$53,478.50.

Nagel/Shimanski motion carried unanimously to approve quote for \$45,680 from Forterra (Maple Grove, MN) for precast box culvert materials for SAP 43-598-015 (bridge L5809 replacement on CR 90); contingent upon authorization and funding approval from MnDOT State Aid.

- H) John Brunkhorst requested approval to award SAP 43-598-015 (bridge L5809 replacement on CR 90) to lowest responsible bidder as determined by the Engineer, contingent upon:
- a. Low bid not exceeding \$170,000.
 - b. Engineer returning to a future Board meeting to update the Board on bid results.
 - c. Authorization and funding approval from MnDOT State Aid.

This allows Engineer to authorize the lowest responsible bidder to proceed immediately after bid opening with construction rather than waiting for next Board meeting.

Shimanski/Wright motion carried unanimously to approve award of SAP 43-598-015 (bridge L5809 replacement on CR 90) to lowest responsible bidder as determined by the Engineer contingent on above listed criteria.

PARKS – Director Al Koglin

- A) Al Koglin requested approval of agreement with the State of Minnesota through the DNR to accept grant funding to improve two miles of the Dakota Trail including paving and a bridge replacement.

This grant is for the development of the Dakota trail using Legacy funds which will connect the Dakota trail that starts at the Carver County Line through the City of Lester Prairie ending at County Road 1.

Grant Project # GMRPTC 18-06 will use \$647,000 Legacy funds, \$33,000 local match from the City of Hutchinson and McLeod County for in-kind engineering services for a total grant of \$680,000. Project is estimated to be completed by June 30, 2020.

Constituent Ron Kester brought concerns forward regarding communication to landowners and a construction easement that will need to be addressed.

Al Koglin confirmed the agreement will allow the county to begin finalizing plans for the improvements which will include public meetings with the city of Lester Prairie and property owners as part of the process.

Shimanski/Wright motion carried to approve agreement with the State of Minnesota through the DNR to accept grant funding to improve two miles of the Dakota Trail including paving and a bridge replacement.

Roll Call: Wright – Yes, Pohlmeier – Yes, Nagel – Yes, Shimanski – Yes, Krueger – No.

PLANNING AND ZONING – Administrator Larry Gasow

- A) Larry Gasow requested denial of Conditional Use Permit 17-21 requested by Mitchell Niccum for exterior storage of more than five (5) vehicles and up to forty (40) vehicles kept and stored on-site to be salvaged throughout the year and then disposed of at another facility and to be located within 3.01 AC tract in the NW ¼ of SW ¼ of Section 24 in Hutchinson Township.

The Board of Hutchinson Township recommended approval of this request on September 14, 2017.

The McLeod County Planning Commission recommended denial of the Conditional Use Permit on October 25, 2017. The applicant failed to attend the Public Hearing to address the following concerns; therefore, these findings of fact for denial are as follows:

1. The rear yard area of the 3.01 acre parcel designated for exterior storage is too small for the storage of 40 vehicles.
2. Without a business or operational plan, adequate measures and plans were not addressed as to control and prevent spills of hazardous automotive fluids leaking during the outdoor storage and/or dismantling vehicles.
3. Without addressing the proper collection and disposal of the automotive fluids, there were environmental concerns of neighboring properties which also include the sensitive areas of the Fish and Wild Life and Pheasants Forever property.
4. Due to the topography and elevation of the parcel there was concern of surface sheet flow run off from snow melt and rains directly into the CR #4 road right of way.
5. Traffic concerns for site clearance and other safety concerns on CR #4 for the amount of trailers entering and leaving the site.

6. Difficulty in the visual screening the site due to the elevation change would adversely affect the neighboring property values.
7. The amount of letters received by neighboring property owners in opposition of this request due to there being other existing salvage yards within a short distance of them.

Constituents brought concerns forward regarding number of vehicles on the property and impact to property values.

Nagel/Shimanski motion carried unanimously to refer Conditional Use Permit 17-21 requested by Mitchell Niccum for exterior storage of more than five (5) vehicles and up to forty (40) vehicles back to Planning Commission due to applicant missing the last scheduled meeting.

COUNTY ADMINISTRATION

- A) Joe Nagel requested appointment of Cindy Schultz Ford as the Interim County Administrator due to the resignation of Pat Melvin.

Cindy will perform duties as Clerk to the County Board and other responsibilities as deemed appropriate in the interim role due to the need of her services in her current role as County Auditor-Treasurer.

Wright/Krueger motion carried unanimously to appoint Cindy Schultz Ford as the Interim County Administrator due to the resignation of Pat Melvin.

- B) Joe Nagel requested approval of \$600 per pay period for compensation while Cindy Schultz Ford is the acting Interim County Administrator.

Nagel/Pohlmeier motion carried unanimously to approve \$600 per pay period for compensation while Cindy Schultz Ford is the acting Interim County Administrator.

- C) Cindy Schultz Ford requested approval to set the next Solid Waste Advisory Committee (SWAC) meeting on December 12th at 2 p.m. to discuss updates on contract for GreenForest.

After further discussion it was determined date will not work for all Commissioners. A date will be established and brought back to the November 21st board meeting.

- D) Cindy Schultz Ford requested adoption of Resolution 17-CB-37 Support of Funding for US Highway 212: A Corridor of Commerce, supporting the \$110

million of needed improvements that will complete the highway to a continuous four-lane highway from Cologne to Norwood Young America.

Krueger/Pohlmeier motion carried unanimously to adopt Resolution 17-CB-37 Support of Funding for US Highway 212: A Corridor of Commerce, supporting the \$110 million of needed improvements that will complete the highway to a continuous four-lane highway from Cologne to Norwood Young America.

Shimanski/Pohlmeier motion carried unanimously to recess the meeting until 11:45 a.m. for closed meeting to discuss union negotiations specific to health insurance.

Wright/Pohlmeier motion carried unanimously to open the meeting at 12:28 p.m.

Shimanski/Pohlmeier motion carried unanimously to recess at 12:30 p.m. until 9:00 a.m. November 21, 2017 at the Glencoe City Center.

ATTEST:

Joe Nagel, Board Chair

Cindy Schultz Ford, Interim County
Administrator