TUESDAY, APRIL 10, 2012

APPROVED MINUTES OF THE
COUNTY BOARD OF COMMISSIONERS MEETING HELD

STATE OF MINNESOTA) **COUNTY ADMINISTRATION OFFICE**
COUNTY OF DODGE) **MANTORVILLE, MN** **2012-08**

The Dodge County Board of Commissioners met in regular session April 10, 2012, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Don Gray, Chair called the County Board of Commissioners meeting to order at 9:32 a.m. CDT. — Meeting Convened

The pledge of allegiance was recited. — Pledge of Allegiance

The Chair acknowledged those present and established that there was a quorum: — Those Present

Members present:	Jane Olive	District #1
	Lyle Tjosaas	District #2
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5
Members absent:	None	
Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy County Clerk

Motion by Erickson seconded by Olive to approve and adopt the agenda as amended to move the abatement request to item 5.2 on the agenda and add Human Services resolution #95-10 under the Human Services committee report. *Motion adopted unanimously.* — *Agenda Approved*

Office Support Supervisor Kelly Madsen introduced Bob Flach who is a new Social Worker in the Human Services department. — New Employee Introduction

The Board welcomed Mr. Flach.

Motion by Olive seconded by Hanson to approve the following items on the Consent Agenda: — *Consent Agenda Items Approved*

1.1 Chair to sign a Gambling Permit for Holy Family Catholic Church as requested.
1.2 3.2 Malt Liquor License for B&M Promotions, Inc. (Dodge County Speedway) effective April 1, 2012 through April 1, 2013 pending the approval of the County Attorney, the County Sheriff, and the submission of all required insurance documentation.
1.3 Bzoskie Lawn Services of Kasson, MN to provide 2012 lawn care services to the county at the prices quoted.
1.4 Chair and County Administrator to sign the 2012 Assessment Agreements and fees for assessment services rendered as presented.

Consent Agenda Items Approved - Continued

1.5 Award SAP 20-598-018 and SAP 20-599-100 bridge contract projects to Fitzgerald Excavating & Trucking for the amount of $349,756.00 with County Engineer authorized to approve change orders and supplemental agreements up to 10% of the contract amount.
1.6 Chair and Deputy Clerk to sign resolution #2012-16 in support of a Bridge Grant Agreement for SAP 20-598-018.
1.7 Chair and Deputy Clerk to sign resolution #2012-17 in support of the TH 14 Detour Agreement.

Motion adopted unanimously.

Sexual Assault Awareness Month Proclamation Approved

Victim Services Staff Advocate Jerianne Gonser met with the Board to discuss her request to approve a proclamation proclaiming April as Sexual Assault Awareness Month.

Ms. Gonser informed the Board that nationally April is recognized as Sexual Assault Awareness Month. Locally members of the Sexual Assault Interagency Council have committed their department's resources in support of this year's proclaimed theme – S.A.V.E.: Sexual Abuse, Violence and Exploitation.

The Victim Services Staff Advocate read the proposed proclamation.

Members of the Sexual Assault Interagency Council respectfully request the Dodge County Board formally adopt the proposed proclamation proclaiming April as Sexual Assault Awareness month.

Motion by Tjosaas seconded by Olive to approve and authorize the Chair to sign the Sexual Assault Awareness Month Proclamation on behalf of the Dodge County Board of Commissioners as requested. *Motion adopted unanimously.*

Ms. Gonser briefly provided the Board with an update on what her duties are as an Advocate for Dodge County.

The Board thanked Ms. Gonser for the update.

Bid Date Set for Scale and Scale House

Environmental Services Director Mark Gamm discussed with the Board his request to obtain bids from scale contractors and building contractors for a new scale and scale house.

Mr. Gamm reported that Environmental Services will request two separate bids; one for the scale and one for the scale house. Construction of both projects will take place simultaneously between June and October 2012. They expect the scale to cost less than $100,000 and the scale house to cost less than $100,000. Environmental Services will request and award bids in accordance to MN Statute 400.04, Subd 4, which allows for negotiation with bidders. Environmental Services will mail bid information directly to known scale manufacturers and local building contractors. To assure a fair and open process, they will also post a paid ad in the county legal paper. Bids will be due by May 10, 2012.

Motion by Erickson seconded by Tjosaas to approve and authorize Environmental Services to request bids from scale contractors and building contractors for a scale and a scale house with a bid opening date of May 10, 2012. *Motion adopted unanimously.*

Bid Date Set for Scale and Scale House - Continued

County Assessor Wendell Engelstad reviewed with the Board his request to approve regular abatements.

2011 & 2012 Assessment Changes Approved

Mr. Engelstad informed the Board that Minnesota Statutes 375.192 provides that the County Board may grant the reduction or abatement of a property taxpayer's estimated market valuation and the resulting taxes, costs, penalties, or interest which have been erroneously or unjustly assessed. The County Board may consider and grant reductions and abatements for applications as they relate to taxes payable in the current year and the two prior years. However, abatements for the two prior years shall be considered and granted only for clerical errors and when the taxpayer fails to file for a reduction or an adjustment due to a hardship, as determined by the County Board.

All applications must be written and approved by the County Assessor and the County Auditor before consideration by the County Board. Said abatement applications are entirely discretionary, subject to precedence and prior Board policy, and are not appealable to another level of authority. Based on the applicants' claims and the investigation of the facts, the Finance Director and County Assessor are offering the following assessment changes for taxes payable in the year 2011 and 2012.

Parcel ID	Owner	Street	City	Reason	Tax Reduction
R22.451.0040 (2011 pay 12)	Joseph Giesler	303 4th Street NE	Dodge Center	Title company told him he was ineligible for homestead.	$436
R24.380.2050 (2010 pay 11)	Colin Kimball	1008 2nd Street SE	Kasson	Tax statement/notices sent to parents; escrowed.	$248
R26.576.0140 (2011 pay 12)	Kevin Rocek	916 1st Street	West Concord	Didn't know about relative homestead.	$944

Motion by Olive seconded by Hanson to approve the regular abatements as presented for the year indicated. *Motion adopted unanimously.*

Motion by Tjosaas seconded by Olive to approve Human Services actions consistent with Human Services resolution #95-10:

Human Services Resolution #95-10 Approved

- Authorize payment of all claims and bills received in the prior month.
- Approve all Financial Assistance case actions taken in the prior month.
- Approve all Social Services case actions taken in the prior month.
- Approve destruction of closed cases listed for destruction in this month.

Motion adopted unanimously.

Commissioner Tjosaas presented a summary of the Human Services Committee report.

Human Services Committee Report

Taxpayer Services Director Rose Culbertson reviewed bills with the Board. *Bills Approved*

Motion by Erickson seconded by Tjosaas to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	$ 90,727.97
11	Human Services Fund	$ 39.00
13	Road and Bridge Fund	$ 88,919.06
16	Environmental Quality	$ 9,607.15
17	EQ Revolving Equip Fund	$ 2,095.75
32	County Capital Projects	$ 3,882.00
	Total	$195,270.93

Motion adopted unanimously.

The Board reviewed the Taxpayer Services Director's request to consider a property tax penalty and interest abatement. *Property Tax Penalty Abatement Request Denied*

Tamera Wing has submitted a request to abate the penalty and interest for her 2006 through 2009 taxes. A letter in the Board packet from Ms. Wing states that she was not aware that there were penalties and interest on those years when she made payment for them in March of 2010. Ms. Wing indicated that she thought her taxes were paid in full when she saw the penalty, interest and tax amounts on her receipts. State statute requires the county to apply payment first to interest, then penalty with the remaining going toward taxes. This was done on Ms. Wings receipt. Ms. Wing paid the base amount for her taxes ($1,238.00) but when interest and penalty were subtracted only $807.82 was applied to the tax.

When a customer pays taxes by mail it is the Finance Office's procedure to send a short note to the taxpayer along with the receipts that explains that the taxes were paid short and how much is still due. Finance also sends a letter to all delinquent taxpayers the first week of each January to let them know that they have taxes due. Because of space constraints each past due year cannot be listed on the delinquent letter, however when adding up the lines that are shown, the totals are higher. Although Finance does not keep copies of these notices, Ms. Culbertson believes they were sent to Ms. Wing.

Also included in the Board packet were letters from Ms. Wing and a tax screen printout listing remaining due taxes.

It was the Taxpayer Services Director's recommendation to remain consistent with past decisions and deny this request for penalty abatement.

Motion by Erickson seconded by Hanson to deny the property tax penalty abatement request of Tamera Wing for her 2006 through 2009 taxes. *Motion adopted unanimously.*

The County Attorney was not available to provide a legal update. Legal Update

Commissioners recessed to meet and greet visitors at 10:17 a.m. CDT. Recessed Meeting

The meeting was reconvened at 10:22 a.m. CDT. Reconvened Meeting

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's consideration. Motion by Hanson seconded by Tjosaas to approve the following personnel actions: *Personnel Actions Approved*

A. Human Services

A.1 Zola Bennett – Case Aide
Annual review.
Effective Date: 3/12/12

A.2 Jodi Rau – Financial Worker
Step increase from B23 step 6 $16.99 to B23 step 5 $17.56.
Effective Date: 4/23/12

A.3 Brione Thompson – Social Worker
Step increase from C42 step 3 $25.05 to C42 step 2 $25.99.
Effective Date: 4/11/12

A.4 Jodi Marsh – Social Worker – On-Call
Annual review.
Effective Date: 3/3/12

A.5 Karen Buckingham – Social Worker – Temporary
Authorization to employ as temporary Social Worker to cover LOA.
Effective Date: 5/29/12 – 8/24/12

B. Sheriff's Office

B.1 Zachari Wagner – 911 Dispatcher – On-Call
Authorization to employ as on-call Dispatcher B22 step 11 $14.47.
Effective Date: 4/11/12

C. Highway Department

C.1 Dallas Ness – Maintenance Superintendent
Step increase from C43 step 3 $32.34 to C43 step 2 $33.64.
Effective Date: 2/1/12

D. Public Health

D.1 Mary Krebs – PHN – 1.0 FTE
Change status from 1.0 FTE to on-call.
Effective Date: 4/27/12

D.2 Public Health Nurse – 1.0 FTE
Authorization to fill vacancy.
Effective Date: 4/10/12

E. Extension

E.1 4H Summer Assistant - Seasonal
Authorization to post and fill seasonal position.
Effective Date: 6/4/12 – 8/10/12

Motion adopted unanimously.

Ms. Hager provided for the Board's consideration a Highway Equipment Operators schedule adjustment request. *Highway Equipment Operators Schedule Adjustment Approved*

As a cost savings measure unique to the Highway Department, to save on fuel and additional daily start up costs, Administration is requesting the county temporarily agree to the schedule provided in Appendix A. As indicated in this language the employer shall provide a seven (7) day notice when the work schedule is to revert back to the five (5) day – eight (8) hour work week schedule.

Motion by Erickson seconded by Tjosaas to approve and authorize the Appendix A provision of the International Union of Operating Engineers Local Union No. 49 as requested. *Motion adopted unanimously.*

Highway Equipment Operators Schedule Adjustment Approved - Continued

The Employee Relations Director discussed with the Board the proposed Background Investigation Check Policy and Procedures. Ms. Hager reported that many of these procedures are already in place. The proposed document adds a few requirements and clearly defines all the steps in the process.

Background Investigation Check Policy and Procedures Approved

Commissioner Erickson suggested that the word "not" be added to the notation at the bottom of page 2 which would read as follows:

> For volunteers, not including non-elected Board and Commission members, the criminal history check is required; however, all other checks are optional.

Minnesota Counties Intergovernmental Trust (MCIT) Risk Management Consultant Bob Goede was available to comment on the proposed policy.

Motion by Erickson seconded by Hanson to approve and authorize the Background Investigation Check Policy and Procedures as discussed with the proposed change. *Motion adopted unanimously.*

Mr. Goede provided the Board with a 2012 MCIT Member Report.

2012 MCIT Member Report

The Board thanked Mr. Goede for the report.

The redistricting hearing was opened at 11:13 a.m. CDT.

Redistricting Public Hearing Opened to the Public

Accounting Services Director Sara Marquardt discussed with the Board redistricting.

Redistricting Discussion

Included in the Board packets were the maps and population break outs for the Dodge County Commissioner redistricting. Ms. Marquardt noted that as a county, we are required to redistrict per Minnesota Statute and must rely on the federal census and it's tracking data to obtain population statistics for Dodge County.

The geographic requirements for redistricting include:

Current Commissioner District	Current Commissioner Population	Redistricting Commissioner Population	Average District Population	Difference from Average	10% Variance Test
1	5,693	4,264	4017.4	247	Within 10%
2	4,015	4,112	4017.4	95	Within 10%
3	3,435	3,755	4017.4	(262)	Within 10%
4	3,360	3,721	4017.4	(296)	Within 10%
5	3,584	4,235	4017.4	218	Within 10%

Redistricting Discussion - Continued

The City of Kasson has passed a resolution to split into three precincts. The Kasson splits will be North of 16th Street. The middle part of Kasson, South of 16th Street NE and North of Main Street/County Highway 34. The South split will be anything below Main Street/County Highway 34.

The City of Dodge Center has passed a resolution to split into two voting precincts. The Dodge Center split will run along the railroad track with the exception of Block 11 of the Original Plat which will go with the North part of Dodge Center.

Included in the Board packet was the proposed Dodge County redistricting resolution.

Per the five percent rule all Dodge County Commissioners will have to run for office in 2012. This is per statute M.S. 375.025 subd. 4, which reads as follows:

"When a county is redistricted, there shall be a new election of commissions in all the districts at the general election except that if the change made in the boundaries of a district is less than five percent of the average of all districts of the county, the commissioner in office at the time of the redistricting shall serve for the full period for which elected."

If the total shift is greater than the threshold population, then a County Commissioner who was elected for a four-year term at the 2010 general election will need to run for that office again in 2012.

The total shift in a district is calculated as follows:
(# of individuals shifted into district + # of individuals shifted out of district) = Total Shift

The threshold population is calculated as follows:
(county population/number of districts)* 0.05 = threshold

Commissioner District	Total Shift	Threshold	Pass/Fail
1	1,691*	200.89	Fail
2	2,361*	200.89	Fail
3	5,222	200.89	Fail
4	4,541	200.89	Fail
5	2,061	200.89	Fail

So per the above table each County Commissioner will have to rerun for each district seat.

Also stated in a resolution will be that each County Commissioner District needs to be assigned a number the County Board as a part of the redistricting plan (M.S. 375.025, subd. 4). The County Board will also need to determine which districts will have two or four year terms elected in 2012 to provide staggered terms. It does not necessarily have to be the same as the current staggered terms (M.S. 375.025, subd. 4).

Ms. Marquardt shared the following timeline information with the Board:

Redistricting Discussion - Continued

May 1, 2012	Deadline for all other redistricting which includes counties.
May 8, 2012	County published notice illustrating all districts.
May 15, 2012	Last date for a voter to file a contest in the district courts on redistricting revision.
May 22, 2012	Candidate filing opens.
June 5, 2012	Candidate filing closes.
August 14, 2012	Primary election.
November 6, 2012	General election.

The Accounting Services Director noted that she has not received any comments from the public regarding the proposed redistricting plan.

There were no members of the public that wanted to comment on the proposed redistricting plan.

Motion by Erickson seconded by Hanson to close the redistricting public hearing at 11:18 a.m. CDT. *Motion adopted unanimously.*

Redistricting Hearing Closed

Motion by Tjosaas seconded by Olive to approve and authorize the Chair and Deputy Clerk to sign resolution #2012-18 in support of redistricting County Commissioner Districts:

County Commissioner Redistricting Approved by Resolution #2012-18

WHEREAS, Minnesota Statute Chapter 375 establishes the procedure and requires a process for redistricting County Commissioner districts based on population figures from the Federal Census; and

WHEREAS, Minnesota Statute section 204B.135, subd. 2 requires that County Commissioner Districts be redistricted within 80 days of when the legislature has been redistricted or at least 15 weeks before the state primary election, whichever comes first; and

WHEREAS, pursuant to these statutes the 2010 Federal Census population figures shall be used to redistrict Dodge County Commissioner Districts by May 1, 2012 and that Commissioner Districts shall be bounded by town, municipal, ward, city district, or precinct lines; and

WHEREAS, the Dodge County Board of Commissioners has considered the possibility or potential for maximizing minority representation on the Board of Commissioners; and

WHEREAS, Dodge County published a three week notice in the newspaper having the contract for publishing the commissioner's proceedings for the county for 2012; and

WHEREAS, Dodge County conducted a public meeting on redistricting on April 10, 2012.

County Commissioner Redistricting Approved by Resolution #2012-18 - Continued

NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Commissioners hereby redistricts the County of Dodge, following town, municipal, ward, city district, or precinct lines as reestablished in April, 2012 and reestablishes the length of terms as follows:

District 1 - Milton Township, Mantorville Township, City of Mantorville and City of Kasson North Precinct – North of 16th Street (4-year Term, 2012 Election)

District 2 - City of Kasson Central – North of Main Street/County Highway 34 or East Veterans Memorial Highway and South of 16th Street (2-year Term, 2012 Election)

District 3 - City of Kasson South - South of Main Street/County Highway 34 or East Veterans Memorial Highway, Canisteo Township, Vernon Township, Ashland Township, City of Dodge Center – South of the Railroad tracks except Block 11 of the Original Plat (2-year Term, 2012 Election)

District 4 - Hayfield Township, City of Hayfield, Westfield Township, Ripley Township, Claremont Township, City of Claremont, Ellington Township (4-year Term, 2012 Election)

District 5 - Concord Township, City of West Concord, Wasioja Township, City of Dodge Center – North of the railroad tracks and Block 11 of the Original Plat (4-year Term, 2012 Election)

BE IT RESOLVED that the County Administrator is directed to file the redistricting plan with the County Auditor by May 1, 2012 to be effective on June 1, 2012, for the 2012 primary and general election and publish in all county newspapers.

BE IT FURTHER RESOLVED that the districts are, for illustrative purposes, identified in a map of the county attached hereto which by reference is hereby made a part hereof.

Resolution adopted unanimously.

Ms. Marquardt was commended for her efforts to put together the redistricting plan with Dave Deschene.

Administration Committee Report

Commissioner Gray presented a summary of the Administration Committee report and action items.

03/27/12 Committee of the Whole Meeting Minutes Approved

Motion by Erickson seconded by Hanson to approve and authorize the March 27, 2012 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

03/13/12 Meeting Minutes Approved

Motion by Tjosaas seconded by Olive to approve and authorize the March 27, 2012 meeting minutes as corrected on page 74 and 75. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Erickson attended a Space Study meeting, a Dodge County EDA forum, a PSAP Consolidation Conference call, a Regional Radio Joint Powers Board meeting, a joint meeting with SWCD/NRCS and County Board and a Feedlot Producers Odor Mitigation meeting. Commissioner Gray did not have any meetings to report. Commissioner Hanson attended a Space Study meeting, a Mental Health meeting, a Dodge County EDA Summit, a Memorial meeting, a Dodge County Expo, a High Speed Rail Forum, a SWCD meeting and a Planning & Zoning Feedlot Odor Mitigation meeting. Commissioner Olive attended a Space Workshop, a Safety Committee meeting, a 2012 Community Mental Health Forum, a Dodge County EDA Summit, a Dodge County Expo, a MN Intercity Rail Transit meeting, a Mantorville Township Board meeting, a SWCD/NRCS/County Board meeting, a Council of Governments meeting, a Workforce Investment Board meeting, a Feedlot Producers Informational meeting and a Semcac meeting. Commissioner Tjosaas attended a Space Study meeting, an EDA forum, a Dodge County Expo, a Feedlot meeting, a Semcac meeting and a Council of Governments meeting. Agency Reports

Motion by Olive seconded by Hanson to adjourn the meeting at 12:02 p.m. CDT. Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on April 24, 2012 at 9:30 a.m. CDT. Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPTY CLERK

DATED: