

**TUESDAY, AUGUST 14, 2012**

**APPROVED MINUTES OF THE  
COUNTY BOARD OF COMMISSIONERS MEETING HELD**

**STATE OF MINNESOTA)  
COUNTY OF DODGE)**

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2012-15**

The Dodge County Board of Commissioners met in regular session August 14, 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 9:33 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 Olive seconded by Hanson to approve the agenda as presented.  
*Motion adopted unanimously.*

Agenda Approved

Motion by Olive seconded by Hanson to approve the following items on the Consent Agenda:

Consent Agenda Items  
Approved

- 1.1 Set 2012 flu shot fee at \$27.00 per shot.
- 1.2 Human Services Resolution #95-10.
- 1.3 Resolution #2012-32 accepting donations for 2012 Sober Fest program.
- 1.4 Resolution #2012-33 in support of the Sheriff's Office accepting a donation from Dodge County United Way for D.A.R.E. Program.
- 1.5 Resolution #2012-34 in support of the Sheriff's Office participation in 2012/2013 Safe and Sober Program.
- 1.6 Appointment of June Meitzner and Susie Thoe to Extension Committee.
- 1.7 Highway Department credit card request.

*Motion adopted unanimously.*

County Attorney Paul Kiltinen arrived to the meeting at 9:36 a.m. CDT.

County Attorney Arrived

County Resident Jeff Franzen discussed with the Board his concerns with the change in classification on his property in Dodge Center.

Taxpayer Valuation/  
Classification Concerns  
Discussion

County Assessor Wendell Engelstad was available to comment on the classification of the property.

Discussion took place regarding the action taken by the County Board of Appeal and Equalization on June 12, 2012 in relation to the valuation and classification appeal of Mr. Franzen's lot in Dodge Center. It was noted that Mr. Franzen forwarded the County Assessor a letter from David Livingston indicating that he (Mr. Livingston) had paid Jeff Franzen \$200 for the opportunity to take hay from the two-acre subject lot in 2011.

Mr. Franzen also contacted the County Administrator indicating his concern with the previous year's valuations and/or classifications.

It was pointed out that there is no provision in the statutes to rescind or appeal an action by a Local Board or County Board of Appeal and Equalization (LBAE/CBAE), other than to appeal to the next level at the State Tax Court.

Included in the Board packet for review was the letter from David Livingston, the 2012 CBAE meeting minutes, and a Minnesota Tax Court information sheet.

It was clarified that Mr. Franzen was appealing the taxes payable this year.

The County Attorney questioned why the property was changed to commercial.

Mr. Engelstad stated that it was changed because that's the use of the property.

The County Attorney suggested that one way to address the issue would be to have Mr. Franzen apply for an abatement of property taxes since it was the consensus of the Board that the property should not have been reclassified. Mr. Kiltinen believes the Board has done this in the past to correct a classification error.

Commissioner Tjosaas questioned whether or not the county can legally approve an abatement.

Mr. Kiltinen stated that the county can legally approve an abatement.

Mr. Franzen informed the Board that nothing has changed with the use of this property and that he didn't request the change in classification and wasn't notified of the change in classification.

David Livingston was available to comment on the issue and informed the Board that he has bailed hay on this lot for many years. Mr. Franzen also stated that he has no interest in going to the next level, which would be the State Tax Court.

It was agreed that Mr. Franzen should complete two abatement request forms, one for taxes payable in 2012 and one for taxes payable in 2013. The County Assessor indicated that he would get Mr. Franzen the necessary forms.

In addition to the abatement request forms, Mr. Franzen was informed that he should also obtain tax return information from his accountant showing his rental income for the lot and a letter from the renter, Mr. Livingston, confirming that the lot is rented for hay and how much he receives for rental each year.

Taxpayer Valuation/  
Classification Concerns  
Discussion - Continued

The Board agreed that the property should remain classified as agricultural property until the point in time that Mr. Franzen decides to building on the property.

The Board thanked Mr. Franzen for attending the meeting.

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	\$208,457.77
11	Human Services Fund	\$ 282.72
13	Road and Bridge Fund	\$ 78,231.15
16	Environmental Quality	\$ 83,029.55
17	EQ Revolving Equip Fund	\$ 20,302.71
32	County Capital Projects	\$ 10,750.00
	Total	\$401,053.90

*Motion adopted unanimously.*

County Administrator Jim Elmquist presented the Personnel Agenda for the Board's consideration. Motion by Tjosaas seconded by Olive to approve the following personnel actions:

Personnel Actions  
Approved

**A. Recorder's Office**

A.1 Ramona McAndrew – Deputy Recorder/Abstracter  
Annual review.  
Effective Date: 6/5/12

A.2 Lindsay Stromback – Deputy Recorder  
No longer employed.  
Effective Date: 9/14/12

A.3 Lisa Kramer – Finance Director  
Authorization to appoint as Interim County Recorder due to vacancy.  
Effective Date: 9/04/12

**B. Public Health**

B.1 Part-time Public Health staff review of FTE status. The following changes need to be made according to average hours worked. The next audit will be 1/2013.

Jessica Schleck – Health Educator

Increase FTE from .40 to .50.

Amber Converse – Dietitian

Decrease FTE from .45 to .40.

Effective Date: 7/1/12

**C. Administration**

- C.1 Greg Thoe – Custodian Maintenance  
Step increase from A13 step 4 \$14.29 to A13 step 3 \$14.71.  
Effective Date: 7/13/12
- C.2 Becky Lubahn – Executive Assistant  
Step increase from B31 step 2 \$21.16 to B31 Max \$21.58.  
Effective Date: 7/10/12

**D. Attorney's Office**

- D.1 Heather Story – Legal Assistant .50 FTE  
Step increase from B22 step 11 \$14.47 to B22 step 10 \$14.80.  
Effective Date: 7/03/12

**E. Sheriff's Office**

- E.1 Bruce Allen – Transport Officer  
Step increase from B21 step 11 \$13.43 to B21 step 10 \$13.74.  
Effective Date: 6/30/12

**F. Environmental Services**

- F.1 Sandy Schaefer – Septic System Coordinator/Account Technician  
Annual review.  
Effective Date: 8/08/12

**G. Human Services**

- G.1 Shelley Koen – Fiscal Supervisor  
Step increase from C42 step 6 \$24.77 to C42 step 5 \$25.51.  
Effective Date: 6/15/12
- G.2 Katherine Schrandt – Social Worker  
Annual review.  
Effective Date: 8/02/12
- G.3 Todd Nelson – Veteran Services Officer  
Annual review.  
Effective Date: 6/29/12

*Motion adopted unanimously.*

Mr. Elmquist presented for the Board's consideration the mid-year financials for 2012. The County Administrator noted that the information was assembled by Rose Culbertson in Finance and indicates a trend towards 2012 annual expectations. Items of note for the Board's review included:

Personnel Actions  
Approved - Continued

Mid-Year Financials  
Reviewed

**Expenditures:**

Data Processing (061 – Information Systems) have utilized most of the computer purchases into this year with upgrades for laptops for Human Services (there will be a reimbursement from Human Services of approximately \$4,000) and an anticipated cost for antivirus software going into this year.

The Director is attempting to curb variable costs within the department for the remainder of the year.

**Revenue – Non-Departmental:**

It does not include tax payments that will show up in the July financials which would signify a large portion of revenue.

The Board thanked Mr. Elmquist for the update.

Accounting Services Director Sara Marquardt presented for the Board's consideration a fireworks permit request for Durst Farms.

Durst Farms Fireworks Permit Approved

Durst Farms (Ken Durst and Janice Borgstrom-Durst) is requesting a fireworks permit for August 18, 2012, with a rain date of September 7, 2012. The fireworks display will be at 24704 575<sup>th</sup> Street, Mantorville, MN.

Ms. Marquardt recommends approval of the request and noted that the \$20 application fee has been paid.

Motion by Tjosaas seconded by Olive to approve and authorize a Fireworks Permit for Durst Farms on August 18, 2012 pending the approval of the County Sheriff and County Attorney. *Motion adopted unanimously.*

The Accounting Services Director discussed with the Board a request to approve a 3-Day Temporary On-Sale Liquor License for the Dodge County Agricultural and Mechanical Society effective September 7-9, 2012. The Fair Board will be using this liquor license for the Big Iron Classic. This event will be held at the Dodge County Fairgrounds, located in Kasson, MN.

3-Day Temporary On-Sale Liquor License Approved for Dodge County Agricultural and Mechanical Society for Big Iron Classic

Motion by Erickson seconded by Hanson to approve and authorize a 3-Day Temporary On-Sale Liquor License for the Dodge County Agricultural and Mechanical Society September 7-9, 2012 pending the payment of the \$100.00 fee and the approval of the County Sheriff and County Attorney. *Motion adopted unanimously.*

Ms. Marquardt shared with the Board a request to approve a Gambling Permit for the Claremont Chamber of Commerce for pull tabs at the Dodge County Fair.

Gambling Permit for Claremont Area Chamber of Commerce Approved

The Claremont Area Chamber of Commerce is requesting a Gambling Permit for pull tabs at the Dodge County Fair July 19 – 21, 2012 to raise money for the Claremont area. This event was held at the Dodge County Fairgrounds Beer Gardens, Kasson, MN.

The Accounting Services Director noted that this event has already taken place, but the county needs to make it official with an approval.

Motion by Erickson seconded by Olive to approve and authorize a Gambling Permit for the Claremont Area Chamber of Commerce pending the payment of the license fee of \$25 and the Certificate of Exempt Status. *Motion adopted unanimously.*

Ms. Marquardt discussed with the Board a request to approve a 1-Day Temporary On-Sale Liquor License for the Dodge County Agricultural and Mechanical Society effective September 2, 2012. The Fair Board will be using this liquor license for the NTS Races. This event will be held at the Dodge County Fairgrounds, located in Kasson, MN.

1-Day Temporary On-Sale Liquor License Approved for Dodge County Agricultural and Mechanical Society for NTS Races

Motion by Erickson seconded by Olive to approve and authorize a 1-Day Temporary On-Sale Liquor License for the Dodge County Agricultural and Mechanical Society September 2, 2012 pending the payment of the \$100.00 fee and the approval of the County Sheriff and County Attorney. *Motion adopted unanimously.*

*1-Day Temporary On-Sale Liquor License Approved for Dodge County Agricultural and Mechanical Society for NTS Races*

The Chair recessed to meet and greet visitors at 10:15 a.m. CDT.

*Recessed Meeting*

The meeting was reconvened at 10:20 a.m. CDT.

*Reconvened Meeting*

Zoning Administrator Melissa DeVetter met with the Board to discuss the tabled Cal Benedix CUP #06-17 request.

*CUP #06-17 (Amend) Approved*

Craig Benedix was available to comment on the request.

On July 24, 2012, the County Board tabled CUP #06-17 pending the receipt of the manure application records requested from the applicant. On August 2, 2012, the application records were received as requested. As a Commercial Applicator is used for application of manure, a Manure Management Plan is not required for the facility under Minnesota Rules Chapter 7020.

Motion by Olive seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on July 11, 2012 with the reasons, recommendations and conditions as found in the individual permit:

**Prairie Ridge Hogs LLC- CUP#06-17 (amend)**

The second public hearing is to consider a request to amend Conditional Use Permit #06-17 to allow an expansion of an existing hog feedlot currently permitted for 960 animal units or 2,400 head of hogs to 999 animal units for a total of 2,450 sows and 380 nursery pigs. The property is 6.42 acres located in the NE 1/4 of the NW 1/4 of Section 5, Mantorville Township. Prairie Ridge Hogs LLC is the applicant and Cal Benedix is the property owner.

The Planning Commission recommends approval with the following conditions:

1. Recommendation from Feedlot Advisory Report dated April 04, 2006.
2. Application for Certificate of No Loss or Exemption.
3. Recommendation from Feedlot Advisory Report dated June 4th, 2012.

*Motion adopted unanimously.*

County Attorney Paul Kiltinen provided the Board with a legal update.

*Legal Update*

SSTS Coordinator Sandra Schaefer discussed with the Board her request to approve payments for septic system completion under CWL Grants.

*Payment for SSTS Construction from CWL Grant Approved*

**Background:**

Dodge County has received three Clean Water Grants for replacement of septic systems that are considered an Imminent Public Health Threat.

The following detail information was shared:

Payment for SSTS  
Construction from CWL  
Grant Approved -  
Continued

Detail All Septic IHT Grants					
		Amount Award	HO Award	# HO Served	Status
1st CWL Grant	FY2010	\$ 88,777.00	\$ 84,550.00	7	Completed
2nd CWL Grant	FY2011	\$ 45,512.00	\$ 43,237.00	4	Completed
3rd CWL Grant	FY2012	\$ 45,490.00	\$ 14,595.00	3	In Progress
	<b>Balance</b>	<b>\$ 179,779.00</b>	<b>\$ 142,382.00</b>	<b>14</b>	

Existing Conditions:

Construction has been completed for the last system under the 2nd grant and the first system under the 3rd grant. The applicants are asking for reimbursement for the cost of the system.

Date of Compliance	Address	Explanation	Cost
7/19/2012	27670 600th St, Mantorville	Completed Septic System	\$6,559.75
7/23/2012	57468 210th Ave Dodge Center	Completed Septic System	\$14,595.00
		Total Disbursement	\$21,154.75

Motion by Olive seconded by Hanson to approve and authorize payments totaling \$21,154.75 for completion of the above septic systems under the IHT Grants as requested. *Motion adopted unanimously.*

Ms. Schaefer was thanked for her work with the CWL Grants and updating septic systems in the county.

Commissioner Hanson and Commissioner Erickson presented a summary of the Public Safety Committee report.

Public Safety  
Committee Report

Commissioner Olive presented a summary of the Public Health Committee report.

Public Health  
Committee Report

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

Human Services  
Committee Report

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

Administration  
Committee Report

Motion by Erickson seconded by Olive to approve and authorize the July 24, 2012 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

07/24/12 Committee of  
the Whole Meeting  
Minutes Approved

Motion by Erickson seconded by Olive to approve and authorize the July 24, 2012 meeting minutes as presented. *Motion adopted unanimously.*

07/24/12 Meeting  
Minutes Approved

Commissioners provided their agency reports. Commissioner Erickson attended a SCHA Joint Powers Board meeting, a Toquam Family Farms tour, a Dodge County Township Officers meeting, a Regional Radio Board meeting and a public meeting on the Recorder question on the primary ballot. Commissioner Gray attended a SWCD meeting, a SWCD Local Work Group meeting and a Township Officers meeting. Commissioner Hanson attended a PAC Railroad meeting. Commissioner Olive attended a SE MN Agency on Aging meeting, a DC RR meeting, a Dodge County Food Hub meeting, a Law Library meeting, a Fair Board meeting, a MN Soy Bean Association meeting, a SE MN Local Municipalities dinner, a Human Services and a family discussion, a SEMAC grant review, a Workforce Development meeting, a Township Officers meeting, a MN Intercity Passenger Rail meeting, a Recorder open house, a Community Resource meeting and suicide prevention meeting, a Mantorville After Hours Business Social, a Dodge County Rails Association Board meeting and a Semcac meeting. Commissioner Tjosaas attended a SCHA meeting, a League of Minnesota Cities meeting, a Township Officers meeting and two meetings for information on the Recorder question on the primary ballot.

Agency Reports

The County Attorney left the meeting at 11:10 a.m. CDT.

County Attorney Left Meeting

The meeting was recessed at 11:10 a.m. CDT for lunch.

Meeting Recessed

The meeting was reconvened at 1:45 p.m. CDT.

Meeting Reconvened

The Board discussed with the following four Department Heads their budget requests for 2013:

Budget Presentations

Mark Gamm, Environmental Services  
Peggy Espey, Public Health  
Jane Hardwick, Human Services  
Guy Kohlnhofer, Highway

Motion by Olive seconded by Hanson to adjourn the meeting at 3:38 p.m. CDT.  
*Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on August 28, 2012 at 9:30 a.m. CDT.

Next Regular Meeting**ATTEST:**


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DON GRAY  
CHAIR, COUNTY BOARD

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BECKY LUBAHN  
DEPTY CLERK

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DATED: