

**TUESDAY, SEPTEMBER 25, 2012**

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

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

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2012-19**

The Dodge County Board of Commissioners met in regular session September 25, 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 Olive seconded by Hanson to approve the agenda as presented.  
*Motion adopted unanimously.*

Agenda Approved

Motion by Erickson seconded by Tjosaas to approve the following items on the Consent Agenda:

Consent Agenda Items  
Approved

- 1.1 The purchase of a 2013 Dodge Grand Caravan from Dodge of Burnsville in an amount not to exceed \$27,000 for Human Services as requested.
- 1.2 Chair and Deputy Clerk to sign resolution #2012-41 accepting a 2013 Toward Zero Deaths Safe Roads Grant in the amount of \$14,310 for traffic safety projects during the period from October 1, 2012 through September 30, 2013.
- 1.3 Final payment of \$28,582.10 to Minnowa Construction for SP 20-624-017, construct Bridge No. 20559 in Concord Township on CSAH 24 in Old Concord.

*Motion adopted unanimously.*

County Attorney Paul Kiltinen arrived to the meeting at 9:33 a.m. CDT.

County Attorney Arrived

Mr. Kiltinen discussed with the Board his request to retain an Attorney for HRA matters.

*Request to Retain  
Attorney for HRA  
Matters Approved*

Many years ago, Dodge County determined that it no longer wished to be part of a Multi-County Housing Authority using the acronym SEMMCHRA as its name. Toward that end in approximately 1996, with the involvement of Commissioners, County Attorney, and the Coordinator at that time, efforts were made to separate Dodge County from the organization. Commissioners met with their peers in the other counties to have Dodge County excluded from this group. The result is well known to all, the county was not excluded. Dodge County has not contributed to the budget of the housing authority, and has allowed SEMMCHRA to proceed with its duties as an appointed representative in Dodge County for distribution of Section 8 housing vouchers. SEMMCHRA now has suggested that it will not process Section 8 vouchers in Dodge County, without Dodge County paying for cost overruns in its administrative budget. Given the position of the County with regard to financial involvement with SEMMCHRA the County Attorney feels we are at an impasse.

It has become apparent that legal action will be necessary regarding the Section 8 vouchers as attempts to enlist the aid of this areas Federal Representative, Tim Walz, were rejected suggesting that this was something that they were not interested in attempting to resolve. It has also become clear that attempts to have Dodge County excluded from the organization, even though we have not and do not provide any funding, have also failed through this attempted negotiation.

It is expected that any litigation will require an office geared toward that style of practice and an inquiry made by Jim Elmquist and follow up by this office, has resulted in finding a person by the name of Thomas J. Radio for the firm Best & Flanagan. Included in the board packet was a short note that Mr. Radio sent the County Attorney with regard to some of his past experience and rate. It was Mr. Kiltinen's recommendation to retain the Law Firm of Best and Flanagan, Thomas J. Radio to represent the Attorney's Office in the Counties effort to have it excluded from SEMMCHRA, and re-instate the Section 8 housing voucher program in Dodge County.

Motion by Olive seconded by Tjosaas to approve and authorize the County Attorney to move forward with finding out what it would cost to retain the Law Firm of Best and Flanagan, Thomas J. Radio to represent the Counties effort to be excluded from SEMMCHRA, and re-instate the Section 8 housing voucher program in Dodge County. *Motion adopted unanimously.*

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

*Legal Update*

County Engineer Guy Kohlhofer met with the Board to discuss TH 14 Partnership membership.

*TH 14 Partnership  
Membership Approved*

Mr. Kohlhofer reported that the membership drive for the Highway 14 Partnership continues. Attention has turned to Dodge County to return to the membership rolls. Dodge County ceased being a member several years ago when the partnership turned all of its attention to the west. The last year Dodge County paid dues was 2005.

The current cost of membership for Dodge County would be \$1,500 per calendar year.

TH 14 Partnership  
Membership Approved -  
Continued

Discussion took place on whether or not Dodge County would return to the membership of the Highway 14 Partnership.

Motion by Tjosaas seconded by Olive to approve and authorize the County Engineer move forward with becoming a member of the TH 14 Partnership for 2013 at a cost of \$1,500. *Motion adopted unanimously.*

Sheriff Jim Jensen presented for the Board's consideration a Joint Powers Agreement between the Sheriff's Office and the 3rd Judicial District Court to run name change background searches for the Court using the Criminal Justice Data Communication Network (CJDN).

Joint Powers  
Agreement with 3<sup>rd</sup>  
Judicial Court to Run  
Background Searches  
Approved

The Bureau of Criminal Apprehension (BCA) has conducted an Audit of the Dodge County Sheriff's Office and determined that Dodge County did not have a current agreement with the 3rd Judicial District Court to run name change background searches for the Court.

Mr. Jensen included in the Board packet for review a signed Joint Powers Agreement with the Court.

Motion by Erickson seconded by Olive to approve and authorize the Chair and Sheriff to sign a Joint Powers Agreement between the Sheriff's Office and the 3rd Judicial District Court to run name change background searches for the Court using CJDN. *Motion adopted unanimously.*

Emergency Management Director Matthew Maas presented for the Board's consideration the Dodge County Emergency Operations Plan.

Dodge County  
Emergency Operations  
Plan Adopted by  
Resolution #2012-42

Mr. Maas reminded the Board that Dodge County's Emergency Operations Plan is updated annually. During the past three years the plan has been reviewed by the following groups and found to meet all of the State and Federal requirements completely.

- 2009 – Minnesota Homeland Security and Emergency Management Regional Review Committee
- 2010 – Olmsted, Steele, and Rice Counties Emergency Management Directors
- 2011 – Minnesota Homeland Security and Emergency Management Regional Program Coordinator

The Emergency Management Director noted that this year completes a four year review cycle with the Board's review of the plan.

Upon the completion of the Board's review Mr. Maas requested that the Board formally adopt the plan as written.

Motion by Hanson seconded by Tjosaas to approve and authorize the Chair and Deputy Clerk to sign resolution #2012-42 adopting the Dodge County Emergency Operations Plan:

Dodge County  
Emergency Operations  
Plan Adopted by  
Resolution #2012-42 -  
Continued

**WHEREAS**, Dodge County Board of Commissioners have reviewed the Dodge County Emergency Operations Plan finding it to meet local and state requirements and the needs of Dodge County; and

**WHEREAS**, the Emergency Operations Plan will be updated annually and reviewed by the Homeland Security and Emergency Management Regional Review Committee, other counties in Southeast Minnesota, State of Minnesota Homeland Security and Emergency Management staff, and the Dodge County Board of Commissioners on a four year cycle; and

**WHEREAS**, Dodge County Board of Commissioners formally adopt the plan as written.

**BE IT RESOLVED** that the Dodge County Board of Commissioners reviewed, approved and formally adopt the Emergency Operations Plan.

*Resolution adopted unanimously.*

Motion by Olive seconded by Tjosaas to approve and authorize the Chair to sign the Local Emergency Operations Plan Review Sheet as requested. *Motion adopted unanimously.*

Signature to Local  
Emergency Operations  
Plan Review Sheet  
Approved

The Board thanked Mr. Maas for his work on the Emergency Operations Plan.

Accounting Services Director Sara Marquardt presented for the Board's consideration a request to purchase a new M100 Precinct Counter for the City of Kasson.

M100 Precinct County  
and Ballot Box  
Purchase for City of  
Kasson Approved

The redistricting of the County Commissioner Districts has created the formation of two new precincts. The redistricting has presented the need for an additional M100 Precinct Counter and Ballot Box for the City of Kasson.

At this time Ms. Marquardt is requesting that the county purchase one M100 Precinct Counter for Kasson so they will have a M100 Precinct counter for each of their three precincts. Kasson tried to use only two M100 Precinct Counters for the Primary election and found that this will not work out for them.

The cost for the M100 Precinct Scanner with the Steel Ballot Box, Diverter, Starter-up Kit and one PCMCIA card is \$5,000.00. The PCMCIA card is the card all election contests are programmed onto. The cost for a backup PCMCIA card is \$90.00, and there is also \$95.00 shipping fee. The total for the new M100 Precinct Counter and Ballot Box will be \$5,185.00.

The Accounting Services Director pointed out that when the budgets were made last year it was assumed that the county would only need one new M100 Precinct Counter instead of the two that she is requesting to purchase this year.

Motion by Erickson seconded by Olive to approve and authorize the Accounting Services Director to purchase a new M100 Precinct Counter and Ballot Box at a cost of \$5,185.00 for the City of Kasson as requested. *Motion adopted unanimously.*

*M100 Precinct County and Ballot Box Purchase for City of Kasson Approved - Continued*

EDA Coordinator Chris Giesen discussed with the Board his request to approve an EDA revolving loan modification with the Kasson State Theatre.

*Kasson State Theatre EDA Revolving Loan Modification Request Approved*

Mr. Giesen reported that JorEll Theatre, Inc. (dba Kasson State Theatre) was approved for an economic development revolving loan at the March 27, 2012 County Board meeting for the purchase of a digital movie projector. The county EDA recommended this action at their March 21, 2012 meeting. The owners of the business are Heidi Alberts and Nicole Bjerke.

The terms of the loan, as approved were as follows: \$25,000 at 3% fixed APR for 10 years. The monthly payment is \$241.40. This loan is secured by a second mortgage on the theater property (221 W Main, Kasson) in the name of the Dodge County Economic Development Authority and the personal guarantees of both principal owners and their spouses.

The loan closed on June 13, 2012. The mortgage was recorded on August 1, 2012. The actual check was picked up by the recipients September 6, 2012. Repayment begins October 1, 2012.

The total projector project cost is \$66,692.00.

The owners planned to finance the remaining amount of the project through available financing through the projector's vendor.

There currently is an existing first mortgage on the theater property for an amount of \$50,000.

The building and land has an assessed market value of \$99,500 in 2012.

Mr. Giesen shared the following new developments:

After closing this loan with the County EDA, the owners were able to secure a more beneficial financing package through Kasson State Bank. This new bank loan would not only cover the rest of the digital projector's purchase price, but also refinance all other existing debt on the property.

The resulting mortgage on the theater property would be in the amount of \$49,000.

As the existing first mortgage would be paid in full by this process, the Dodge County EDA security interest would move to that of a first position from its current second.

In order to extend this new financial package to the owners, Kasson State Bank must hold a first security position on the property.

Kasson State Bank and JorEll Theatre, Inc. is now requesting that county subordinate its security interest to Kasson State Bank, on the theater property, so that the refinance can take place.

Kasson State Theatre  
EDA Revolving Loan  
Modification Request  
Approved - Continued

The EDA Coordinator stated that because our security interest will remain relatively equal to what was originally approved, the new financial package secured through Kasson State Bank is more advantageous to the business, and because there is precedence of the county granting such requests (Zumbro Valley Golf Course, March 2011), it is his opinion that this request fits the mission and goals of the EDA loan program.

Mr. Giesen reported that the Dodge County EDA reviewed this request at its September 19, 2012 meeting and unanimously recommended that the County Board approve this request, as proposed.

Motion by Olive seconded by Tjosaas to approve and authorize the county to subordinate its security interest to Kasson State Bank, on the Kasson State Theatre property, so that refinancing can take place as requested. *Motion adopted unanimously.*

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's consideration. Motion by Erickson seconded by Olive to approve the following personnel actions:

Personnel Actions  
Approved

**A. Human Services**

- A.1 Jessica Westphal – Social Worker  
Step increase from C42 step 3 \$25.05 to C42 step 2 \$25.99.  
Effective Date: 10/3/12
  - A.2 Angie Grisim – Eligibility Worker  
Six month review.  
Effective Date: 9/19/12
  - A.3 Melissa Tschann – Eligibility Worker  
Step increase from B23 step 9 \$15.44 to B23 step 8 \$15.94.  
Effective Date: 9/12/12
  - A.4 Jodi Schutz – Financial Assistance Specialist  
Authorization to employ at C41 step 1 \$25.51 to fill approved vacancy.  
Request approval of 40 hour PTO bank and 10 years of credit on accrual rate.  
Effective Date: 10/22/12
  - A.5 Ashely Ozuna – Social Worker  
Step increase from C42 step 7 \$21.62 to C42 step 6 \$22.42.  
Effective Date: 8/30/12
- B. Assessor's Office**
- B.1 Wendy Iverson – Assessment Support Specialist  
Annual review.  
Effective Date: 9/13/12

**C. Administration**

- C.1 Lisa Hager – Employee Relations Director  
Step increase from C43 step 2 \$33.64 to C43 step 1 \$35.04.  
Effective Date: 9/2/12
- C.2 Kathi Sweet – Custodian/Maintenance  
Step increase from A13 step 4 \$14.29 to A13 step 3 \$14.71.  
Effective Date: 8/28/12
- C.3 Ed Anderson – Custodian/Maintenance  
Authorization to change status from Temporary On-Call to Temporary .75  
FTE due to look back.  
Effective Date: 7/1/12

**D. Public Health**

- D.1 Public Health Dietitian - .5 FTE  
Authorization to post and fill grant funded position.  
Effective Date: 9/1/12 – 8/31/13

**E. Job Description Annual Review****E.1 Annual Review of Job Descriptions**

Request approval of revised job descriptions for:

1. Senior Clerk – Assessor’s Office
2. Water Program Manager
3. Child Support Officer
4. Lead Child Support Officer
5. Eligibility Worker – (formerly Financial Worker)
6. Veteran’s Services Officer
7. Emergency Management Director

(All updates have been reviewed by the employees in the position,  
Department Heads, County Administrator and Employee Relations)  
Effective Date: 12/1/12

*Motion adopted unanimously.*

The Chair recessed the meeting at 10:43 a.m. CDT to meet and greet visitors.

Meeting Recessed

The meeting was reconvened at 10:49 a.m. CDT.

Meeting Reconvened

Taxpayer Services Director Rose Culbertson reviewed bills with the Board. Motion by Erickson seconded by Hanson to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

Bills Approved

01	Revenue Fund	\$ 51,554.27
11	Human Services Fund	\$ 44.68
13	Road and Bridge Fund	\$ 34,634.14
16	Environmental Quality	\$ 76,750.50
17	EQ Revolving Equip Fund	<u>\$ 11,165.42</u>
	Total	\$174,149.01

*Motion adopted unanimously.*

Bills Approved

Zoning Administrator Melissa DeVetter presented for the Board's consideration an Environmental Grant Application and Agreement for the Dodge County Environmental Grant and Loan Fund.

Signatures to  
Environmental Grant  
Application Approved

The Dodge County Environmental Services Department administers the Environmental Grants and Loans Fund to help implement the County's Comprehensive Water Management Plan. Under this program, feedlots are eligible to receive up to \$1,500.00 for the purpose of implementing feedlot fixes which will correct or improve existing water quality issues. The current request is for a grant of \$864.00 from this program to supplement installation of a small open lot fix.

The project is proposed to be funded through a combination of a grant through the Environmental Grant and Loan Fund and landowner contribution.

Motion by Tjosaas seconded by Olive to approve and authorize the Chair and County Administrator so sign the proposed Environmental Grant Agreement as requested. *Motion adopted unanimously.*

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

Public Health  
Committee Report

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

Human Services  
Committee Report

The County Attorney left the meeting at 11:17 a.m. CDT.

County Attorney Left  
Meeting

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

Administration  
Committee Report

Motion by Erickson seconded by Hanson to approve and authorize the September 11, 2012 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

09/11/12 Committee of  
the Whole Meeting  
Minutes Approved

Motion by Hanson seconded by Tjosaas to approve and authorize the September 11, 2012 meeting minutes as presented. *Motion adopted unanimously.*

09/11/12 Meeting  
Minutes Approved

Commissioners provided their agency reports. Commissioner Erickson attended a Claremont City Council meeting, a Claremont Township meeting, a Dodge County Farm Bureau Annual meeting, a Fairview Care Center meeting, a SCHA Quality Assurance Committee meeting, a Dodge County Task Force Corrections meeting and a County Board meeting. Commissioner Gray attended a Care Center meeting and a SCHRC meeting. Commissioner Hanson attended a HRC Joint Powers meeting, a Fairview Care Center meeting and a Civil War Memorial meeting.

Agency Reports



Commissioner Olive attended a Food Hub meeting with SEMN Initiative Foundation, a DC Farm Bureau meeting, a SE EMS Joint Powers Board meeting, a Workforce Development Joint Powers Board meeting, a SMART annual dinner, a Semcac volunteer recognition event, a Fairview Care Center meeting, a meeting with the Fair Board Executive Committee, a DC EDA meeting, a MN CAP awards dinner, a MN Community Action Programs conference, a continued MN CAP Conference, the Zumbro Bend Rendezvous, a Dodge County DFO Task Force meeting, an Early Childhood Initiative Coalition meeting and a Dodge County Fair Board meeting. Commissioner Tjosaas attended the Freedom Walk, an Extension meeting, a Fair Board meeting, a Semcac volunteer recognition event, a meeting with the Fair Board and a Care Center meeting.

Agency Reports -  
Continued

Motion by Olive seconded by Hanson to adjourn the meeting at 11:48 a.m. CDT.  
*Motion adopted unanimously.*

Meeting Adjourned

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

Next Regular Meeting

**ATTEST:**

\_\_\_\_\_  
DON GRAY  
CHAIR, COUNTY BOARD

\_\_\_\_\_  
BECKY LUBAHN  
DEPTY CLERK

\_\_\_\_\_  
DATED: