

TUESDAY, DECEMBER 11, 2012

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2012-24

The Dodge County Board of Commissioners met in regular session December 11, 2012, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CST. Don Gray, Chair called the County Board of Commissioners meeting to order at 9:30 a.m. CST.

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
	Paul Kiltinen	County Attorney
	Steven Gray	Dodge County Resident
	John Allen	Dodge County Resident

Motion by Olive seconded by Hanson to approve the agenda as presented.
Motion adopted unanimously.

Agenda Approved

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

Consent Agenda
Items Approved

- 1.1 Chairman of the Board to sign the 2013 tobacco licenses applications as presented.
- 1.2 The Chair and Public Health Director to sign an amended Purchase of Service Agreement with Healthy Smile Inc. effective January 1, 2013.
- 1.3 Human Services Resolution #95-10.
- 1.4 Chair, County Attorney and Human Services Director to sign a 2013 Guardianship/Conservatorship Services contract with Gary Trelstad.
- 1.5 2012 Human Services accounts receivables write offs of \$93,929.35 for out-of-home placements authorized by Human Services or Community Corrections and \$14,204.85 for detoxification services.

Motion adopted unanimously.

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

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

01	Revenue Fund	\$ 54,328.15
13	Road and Bridge Fund	\$ 22,781.11
16	Environmental Quality	\$ 5,095.67
17	EQ Revolving Equip Fund	<u>\$ 20,550.57</u>
	Total	\$102,755.50

Motion adopted unanimously.

Ms. Culbertson discussed with the Board GASB 54 Fund Balance Classifications.

GASB 54 Fund
Balance
Classifications
Approved

The Taxpayer Services Director reported that in February 2009, the Governmental Accounting Standards Board (GASB) issued GASB Statement No. 54 Fund Balance Reporting and Governmental Fund Type Definitions. This Statement substantially altered how fund balance components are described and reported. The objective of the Statement is to enhance the usefulness of fund balance information. It also clarifies how governmental funds are to be presented and classified, so these classifications can be more consistently applied.

Dodge County began this process for Audit Year 2011. Each year the county will need to address and update the classifications list. Ms. Culbertson included in the Board packet a listing of each fund classification FY2012 for the Board's approval. The listing is arranged by the fund balance type, non-spendable, restricted, committed and assigned. The Taxpayer Services Director provided the following short synopsis of each fund balance type:

- **Non-Spendable**: This would be for amounts that cannot be spent.
- **Restricted**: This would be for amounts where an outside entity such as the state or a grant agreement would dictate how the funds are spent.
- **Committed**: This would be for amounts where you the County Board is the authoritative guidance and dictates how the funds are spent.
- **Assigned**: This would be when the authority is given to someone such as a department head to disperse the funds.

Ms. Culbertson informed the Board that the following grant needs to be added under the Restricted Fund Balance list:

Restricted Fund Balance	Authoritative Guidance	Department
Restricted for Veteran Service Department of Veteran Affairs Grants	Grant Definitions	Veteran Services

Motion by Erickson seconded by Olive to approve the GASB 54 Fund Balance Classifications for FY2012 as presented with the addition of the Veteran Services grant under the Restricted Fund Balance Classification. *Motion adopted unanimously.*

GASB 54 Fund
Balance
Classifications
Approved -
Continued

Finance Director Lisa Kramer met with the Board to discuss the proposed 2013 Mileage Reimbursement Rate.

2013 Mileage
Reimbursement Rate
Set

Ms. Kramer reported that each year the county is required to set the mileage reimbursement rate for elected and appointed officials who qualify for this benefit.

Traditionally Dodge County has used the Internal Revenue Service standard mileage reimbursement rate. The IRS rate will be \$0.565 beginning 1/1/2013. This is an increase from the current rate, \$0.555 per mile.

Motion by Tjosaas seconded by Olive to set the 2013 mileage reimbursement rate at the IRS standard mileage rate, \$0.565 per mile, effective January 1, 2013. *Motion adopted unanimously.*

The Finance Director discussed with the Board her request to approve the final payment of bills for 2012.

Final Payment of
2012 Bills Approved

Ms. Kramer informed the Board that the final Board meeting this year is on December 26, 2012. Many departments will receive bills the last week of December that need to be paid by year-end.

Motion by Erickson seconded by Hanson to approve and authorize the Finance Department to approve and authorize the payment of bills that may occur prior to the end of the 2012 fiscal year with final review by the Finance Director. The final payment of bills will be on December 31, 2012. *Motion adopted unanimously.*

County Administrator Jim Elmquist discussed with the Board his request to set a date for a Dodge County Railroad Authority meeting.

Dodge County
Regional Rail
Authority Meeting
Date Set

Mr. Elmquist reminded the Board that they should schedule a date for the next Railroad Authority meeting. Past meetings have taken place in either January or February and are normally a night-time meeting.

Discussion took place on possible guest speakers.

Commissioner Hanson suggested that someone from MnDOT be invited to speak at the meeting.

Steven Gray suggested that Dave Christianson from MnDOT be asked to speak at the meeting.

Motion by Tjosaas seconded by Hanson to set the Dodge County Regional Rail Authority meeting for Tuesday, January 22, 2013 at 6:30 p.m. at the Dodge County Courthouse Annex, Mantorville, MN. *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. Environmental Services

- A.1 Mike Skjeie – Assistant Solid Waste Operator
Step increase from B22 step 5 \$18.72 to B22 step 6 \$19.28.
Effective Date: 12/1/12

B. County Attorney

- B.1 Janet Mahle Hinds – Assistant County Attorney
Step increase from C43 step 3 \$32.34 to C43 step 2 \$33.64.
Effective Date: 9/16/12

C. Human Services

- C.1 Julie Holgate – Social Services Supervisor
Step increase from C51 step 3 \$33.11 to C51 step 2 \$34.39.
Effective Date: 10/4/12
- C.2 Diane Tloughan – Social Worker
Step increase from C42 step 6 \$22.42 to C42 step 5 \$23.27.
Effective Date: 10/26/12
- C.3 Ginger Nelson – Eligibility Worker
No longer employed.
Effective Date: 3/29/13
- C.4 Cynthia Minnihan – Eligibility Worker
No longer employed.
Effective Date: 1/31/13
- C.5 Eligibility Worker
Authorization to fill vacant position.
Effective Date: 12/11/12
- D. Administration**
- D.1 Paul Wiltgen – Director of Information Technology
Step increase from C43 step 3 \$32.34 to C43 step 2 \$33.64.
Effective Date: 11/29/12

Motion adopted unanimously.

Ms. Hager presented for the Board's consideration the Section 125 Plan Document Update.

Section 125 Plan
Document Update
Approved

Included in the Board packet were documents that reflect the required changes to Dodge County's Section 125 Plan Document. The updated plan will be effective January 2, 2013.

Also included in the Board packet was the Master Service Agreement with Mii Life. Mii Life has been administering Dodge County's Flexible Spending Account and VEBA accounts since 2004.

The Employee Relations Director noted that the proposed agreement has been signed by the county's Service Cooperative and the county needs to formally adopt the agreement.

Motion by Olive seconded by Erickson to approve and authorize the Chair to sign a Minnesota Services Cooperative Adoption Agreement for the Section 125 Cafeteria-Flexible Benefits Plan and the Section 125 Cafeteria-Flexible Benefits Plan Master Services Agreement. Also included in the motion was authorization for the chair to sign the Select Account Flexible Benefit Plan Document Signature Page as requested. *Motion adopted unanimously.*

Section 125 Plan
Document Update
Approved -
Continued

The County Attorney provided the Board with a legal update.

Legal Update

Zoning Administrator Melissa DeVetter met with the Board to discuss a proposed Labor Agreement.

Labor Agreement
with SWCD
Approved

Ms. DeVetter reported that in 2010, 2011 and 2012, the county contracted with the Soil and Water Conservation District (SWCD) to perform contracted and grant funded services. These services include MNFarm evaluations for open lot feedlots funded under the SE MN Water Resources Board Feedlot V grant program, as well as, County Feedlot Program technical assistance and Wetland Conservation Act administration through the Natural Resources Block Grant, provided by the Board of Water and Soil Resources.

This cooperation with the Dodge SWCD has:

1. Provided Dodge County with skilled and experienced SWCD labor.
2. Provided services without increasing the county's 2013 budget.
3. Provided SWCD revenue for 2013 budget.

The proposed agreement was included in the Board packet for review and will be reviewed by the SWCD Board at its December meeting. The conditions of the agreement are:

1. One year term with ability to renew annually.
2. Payment for services rendered is \$35 per hour which includes labor and expenses.
3. Total compensation will not exceed \$40,000 per year.
4. SWCD will provide services for the county including technical assistance for feedlots and administration of Wetland Conservation Act rules.

Motion by Erickson seconded by Hanson to approve and authorize the Chair and County Administrator to sign an Agreement Between Dodge County and the Dodge County Soil and Water Conservation District for Feedlot and Wetland Services. *Motion adopted unanimously.*

The Zoning Administrator reviewed with the Board a proposed Labor Agreement with KLF Consulting Services, LLC.

Labor Agreement
with KLF Consulting
Services, LLC
Approved

Ms. DeVetter reported that Dodge County has developed a labor agreement with KLF Consulting Services, LLC that:

Labor Agreement
with KLF Consulting
Services, LLC
Approved -
Continued

1. Provides Dodge County with skilled and experienced labor to perform a variety of assistance to feedlots under Contract Agreement.
2. Provides services without increasing the county's 2013 budget.

The proposed agreement was included in the Board packet for review. The agreement has been previously reviewed by Ken Folie of KLF Consulting Services, LLC. The conditions of the agreement are:

1. For period of January 1, 2013 to December 31, 2013, subject to terms of contract, with ability to renew annually.
2. Payment for individual purchased services as listed in Attachment A.
3. Payment other services as needed at a rate of \$35 per hour, which includes labor and expenses.
4. Total compensation not to exceed \$25,000 per year.

Motion by Olive seconded by Tjosaas to approve and authorize the Chair to sign the proposed Independent Contract Labor Agreement with Ken Folie of KLF Consulting Services, LLC. *Motion adopted unanimously.*

Ms. DeVetter discussed with the Board a waiver of fees request.

Waiver of Fees
Approved

The Zoning Administrator reported that nonconformities are regulated under Chapter 6 of the Dodge County Zoning Ordinance. Under Section 6.4.1, Item B, expansion to the dimension of a lawful nonconforming structure is prohibited. The expansion prohibition comes from Minnesota Statutes 394.36 (Nonconformities), Subd. 4, which addresses the limitations placed on nonconformities.

The Lepp's house is considered a "nonconforming structure" under the Dodge County Zoning Ordinance as it is located less than the minimum fifty foot (50') setback from the road Right-of-Way of County Road 9. As a result, the Lepps would require a variance to expand their nonconforming structure.

The Lepps are requesting a waiver of the \$600 variance application fee to proceed with the expansion of their house.

Commissioners asked for clarification as to why the property owners were asking that the fee be waived.

Ms. DeVetter stated that the owners are asking for waiver of the fee due to financial hardship.

Commissioners clarified that the house is considered a non-conforming structure because they are increasing the size; however the footprint of the house with the expansion has not changed.

Waiver of Fees
Approved -
Continued

Motion by Olive seconded by Erickson to approve and authorize the \$600 variance application fee waiver request of Shawn and Terri Lepp in order to proceed with the expansion of their house.

Discussion took place regarding the fact that if the property owners have money to add on, they should have money to pay the associated fees with adding on.

John Allen and Steven Gray both commented on the request.

Motion adopted, Erickson, Olive, Tjosaas, Hanson aye, Gray nay.

The Chair recessed the meeting at 10:08 a.m. CST.

Meeting Recessed

The Chair reconvened the meeting at 10:18 a.m. CST.

Meeting Reconvened

Environmental Services Director Mark Gamm presented for the Board's consideration a 2013 Market Price resolution.

2013 Market Price for
Solid Waste
Management Tax Set
by Resolution
#2012-52

Mr. Gamm reported that the county only needs to pay MN Solid Waste Management Tax on the "Market Price" of waste disposal services. The Market Price is defined as the "lowest price available in the area". The county's disposal costs are higher than the Market Price so, to lower Dodge County's tax rate, the county needs to pass a resolution that identifies the Market Price; then submit it to the state for approval.

Motion by Erickson seconded by Olive to approve and authorize the Chair and Deputy Clerk to sign resolution #2012-52 to set the 2013 Market Price for Solid Waste Management Tax:

WHEREAS, the Minnesota Solid Waste Management Tax requires political subdivisions to identify by resolution a Market Price if the political subdivision:

- a. Subsidizes the cost of service at a facility; or
- b. Directly bills on a property tax statement for organized collection of mixed municipal solid waste.

WHEREAS, the political subdivision will be liable for any solid waste management tax based only on the Market Price amount identified through the resolution; and

WHEREAS, the Market Price is defined in Minnesota statute as the "lowest price available in the area" considering disposal and transportation costs; and

WHEREAS, Dodge County's research has identified the Steele County Landfill as the lowest disposal price available in the area at a rate of \$40.00 per ton.

THEREFORE BE IT RESOLVED; that County of Dodge, considering transportation costs, declares a 2013 Market Price of \$47 per ton.

Resolution adopted unanimously.

2013 Market Price for
Solid Waste
Management Tax Set
by Resolution
#2012-52 -
Continued

Mr. Gamm discussed with the Board his request to revise the Waste Management Service Charge.

Waste Management
Service Charge
Revision Approved
by Resolution
#2012-53

Since 1991, Dodge County has implemented a Waste Management Service Charge payable with real estate taxes.

The Service Charge currently pays for:

- Recycling collection at ten drop-off locations.
- The Recycling Center and operation.
- Hazardous Waste Services and management.
- Leaf and organics composting.
- Complaint investigation and ordinance enforcement.
- Public education and planning.

The following 2013 budget information was shared:

The last time the county revised the Service Charge was in 2008 when it was increased from \$18 to \$22 per year. The 2013 Budget assumes a \$2 increase in the Service Charge; from \$22 to \$24 per year.

Motion by Tjosaas seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2012-53 in support of revising the Waste Management Service Charge:

WHEREAS, in 1991, pursuant to Minn. Stat. Sec. 400.08, Dodge County adopted the Waste Management Fee Ordinance to implement a charge for waste management services such as recycling and household hazardous waste; and

WHEREAS, Subsection 4 of the Ordinance authorized the Dodge County Board to establish or revise rate schedules for Service Charges; and

WHEREAS, the County Board has reviewed costs of waste management services and determines them to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, that Dodge County will revise the Service Charge for waste management activities in the county and such charges will be payable with real estate taxes.

BE IT FURTHER RESOLVED, that beginning on January 1, 2013, the Service Charge will be \$24 per year per Unit Value assigned below:

<u>Property Description</u>	<u>Unit Value</u>
Agriculture/Residential	1.0
Residential/Homestead	1.0
Residential/Non-Homestead	
1-3 Units	1.0
4-5 Units	4.0
6 or More Units	6.0
Mobile Homes	1.0
Commercial/Industrial	1.0
Tax Exempt Properties	0.0

Waste Management
Service Charge
Revision Approved
by Resolution
#2012-53 -
Continued

Resolution adopted unanimously.

The Environmental Services Director shared with the Board a summary of the proposals from solar contractors.

Solar Connections
Proposal for Solar
Panel at Transfer
Station Accepted

Curt Shellum, the owner of Solar Connections, was available to answer questions on their solar panel system.

Summary of proposals from Solar Contracts

Contractor	Dragonfly	Pine Island Solar	Solar Connections	Blue Horizon Energy	Innovative Power Systems	Cedar Creek Energy
Solar System Size (Watts)	20,000	21,400	20,600	21,820	20,160	20,800
Total Cost	\$103,300	\$91,888	\$73,755	\$79,319	\$74,752	\$89,600
Price/Watt	\$5.17	\$4.29	\$3.58	\$3.64	\$3.71	\$4.31

Mr. Gamm discussed the following items with the Board:

Evaluation of Proposals: Included in the Board packet was a detailed summary of proposals along with county staff evaluation and recommendation.

Recommended Contractor: Solar Connections offers the lowest price, has local experience, and provides clear reliable pricing. Also, their choice of mounting system and price for trenching provides the greatest opportunity to stay within budget if site conditions change.

Questions regarding the proposed system were answered.

Motion by Tjosaas seconded by Olive to approve and authorize the Environmental Service Director to accept the proposal from Solar Connections and enter into agreement to submit a rebate application to Xcel Energy and, if awarded the rebate, construct the proposed PV solar system following final approval by the county. *Motion adopted unanimously.*

The County Attorney left the meeting at 10:47 a.m. CST.

County Attorney Left Meeting

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

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

11/27/12 Committee of the Whole Meeting Minutes Approved

Motion by Tjosaas seconded by Hanson to approve and authorize the November 27, 2012 meeting minutes as corrected on page 247. *Motion adopted unanimously.*

11/27/12 Meeting Minutes Approved

Commissioners provided their agency reports. Commissioner Erickson attended a meet and confer session with elected officials, an Extension Committee retirement recognition for Don Gray and Dave Hanson, a SCHA Quality Assurance Committee meeting, an AMC conference, County Assessor interviews, a Regional Radio Board Joint Powers Board meeting and a normal County Board meeting. Commissioner Gray attended an AMC conference, a SCHRC meeting, an Extension Committee meeting and a meet and confer session. Commissioner Hanson attended an Extension Committee meeting, an AMC conference, a SEMREX recycling meeting and an HRC meeting. Commissioner Olive did not have any meetings to report. Commissioner Tjosaas attended an Extension Committee meeting, an AMC conference, a Semcac meeting and a County Assessor interview.

Agency Reports

The County Administrator informed the Board that since they ran out of time to discuss a mission/vision statement for Dodge County during the Committee of the Whole that he would possibly discuss this material with them after the Fairview Care Center meeting in Dodge Center on Tuesday, December 18, 2012.

Mission/Vision Discussion Moved to Next Tuesday

Commissioner Olive stated that she won't be able to make the Fairview Care Center meeting, but wanted to comment on the proposed mission/vision statement. Ms. Olive stated that she was not fond of the verbiage used under Community Assets as listed under Values, that language reads as follows:

Values:

Community Assets: As a county with agricultural character in an area of growth, the county strives for balance but with the assurance of a continuing tradition of favorable agricultural commerce.

Commissioner Olive felt that Dodge County had more to offer than just agricultural character.

The Chair recessed the meeting at 11:28 a.m. CST.

Meeting Recessed

The Chair reconvened the meeting at 6:00 p.m. CST.

Meeting Reconvened

The County Administrator reported that the purpose of the meeting is to explain the 2013 proposed budget and tax levy, examine factors impacting the budget, and provide the Board with an opportunity to ask questions on the 2013 proposed budget and tax levy.

2013 Proposed
Budget and Tax Levy
Presentation

Included in the Board packet for review were the preliminary and final budgets and a final resolution indicating a reduced levy for the Board's consideration.

The Board packet also included a copy of a PowerPoint Presentation that was presented at the Truth in Taxation hearing. The presentation shows budget outcomes from the preliminary certification however, the Board had asked that the levy be reduced further if possible. This reduced amount shows decreases in retiree health insurance costs, a final cost as to Dodge's appropriation to DFO, and reductions to EDA due to an outreach project that didn't materialize.

Pursuant to MN Statute, the County Board is required to certify a final budget to the County Auditor on or before December 20th each year.

Mr. Elmquist discussed the following items:

- assessed property values
- budget history
- 2013 preliminary budget/tax levy
- preliminary/certified tax levy
- 2013 budget by fund
- 2013 gross tax levy by fund
- What do your tax dollars provide?
- gross/net tax levy determination
- Why is the tax levy increasing?
- influencing the levy
- tax capacity
- tax capacity in millions

There were no comments from the public regarding the proposed 2013 budget and tax levy.

Motion by Hanson seconded by Tjosaas to approve and authorize the Chair and Clerk to sign resolution #2012-54 adopting the 2013 Dodge County Budget:

2013 County Budget
Adopted by
Resolution #2012-54

WHEREAS, Minnesota Statute 275.07 requires the County Board to certify the final budget to the County Finance Director on or before five working days after December 20th each year; and

WHEREAS, the Dodge County Board of Commissioners, department heads and staff have conducted a lengthy and detailed budget process; and

WHEREAS, the County Board considered all funding requests, correspondence and information submitted during the budget development process and said proposed budget represents the best efforts to provide sound financial management and planning for Dodge County.

2013 County Budget
Adopted by
Resolution #2012-54
- Continued

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners approves the following 2013 budget totaling \$24,418,818. The 2013 expenditures, revenues and levy requests by fund are detailed below:

Fund	2013 Expenditure	2013 Revenues/ Fund Balance	2013 Final Tax Levy
Revenue	\$10,277,579	\$3,427,804	\$6,849,775
EDA/HRA	\$40,100	\$600	\$39,500
Environmental Quality	\$1,863,609	\$1,665,097	\$198,512
Highway	\$6,680,527	\$5,326,975	\$1,353,552
Human Services	\$4,962,353	\$3,057,708	\$1,904,645
Capital Projects	\$594,650	\$0	\$594,650
Ditches	\$0	\$0	\$0
TOTALS	\$24,418,818	\$13,478,184	\$10,940,634
		County Program Aid	\$175,000
		Final Net Tax Levy	\$10,765,634

Resolution adopted unanimously.

Motion by Hanson seconded by Erickson to adjourn the meeting at 6:41 p.m. CST.
Motion adopted unanimously.

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on December 26, 2012 at 9:30 a.m. CST.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPTY CLERK

DATED: