

**TUESDAY, FEBRUARY 9, 2016**

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

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

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2015-03**

The Dodge County Commissioners met in regular session February 9, 2016, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. CST. Chair Steven Gray called the 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:

Those Present

Members present:	John Allen	District #1
	Tim Tjosaas	District #2
	Rodney Peterson	District #3
	David Erickson	District #4
	Steven Gray	District #5

Members absent: None

Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy Clerk
	Paul Kiltinen	County Attorney

Motion by Erickson seconded by Peterson to approve and adopt the agenda as presented. *Motion adopted unanimously.*

Agenda Approved

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

Consent Agenda  
Items Approved

- 1.1 Appointment of Kevin Asprey to the Extension Committee with his term ending 12/31/16.
- 1.2 Awarding 2016 seasonal supply bids as recommended by the Highway Department.
- 1.3 Final payment of \$150,822.03 to Rochester Sand and Gravel for 2015 bituminous projects as presented.
- 1.4 Cell phone stipend increase for Tom Anderson from \$30/month to \$50/month.

*Motion adopted unanimously.*

Environmental Technician Rita Cole met with the Board to discuss issuing a 2016 hauler license to Skjeveland Enterprises.

2016 Hauler's  
License to  
Skjeveland

It was noted that on February 10, 2015 the County Board came to the consensus that Skjeveland Enterprises might not be granted a license to collect and transport waste in Dodge County unless the business location gained compliance with its Conditional Use Permit.

Approved by  
Resolution #2016-06

As of January 26, 2016, Skjeveland Enterprises was not compliant with their CUP. Included in the Board packet were photographs and a brief summary of regulatory activities to date.

Chris Skjeveland has informed Environmental Services that he intends to relocate his business by the end of July 2016. Mr. Skjeveland also informed Environmental Services that he has been actively looking for a new location to conduct his business. Tom Monson, Dodge County EDA representative, confirmed that Mr. Skjeveland met with City of Blooming Prairie in October 2015 to discuss the purchase of a vacant lot for his business. Chris Skjeveland has also indicated that he has actively sought other properties in Owatonna and Claremont but no purchase has been made.

2016 Hauler's  
License to  
Skjeveland  
Approved by  
Resolution #2016-06  
- Continued

Ms. Cole reported that it is Environmental Service's recommendation that the County Board vote in favor of the proposed resolution to grant Skjeveland Enterprises a 2016 Waste Haulers License and to set a public hearing date for Tuesday, August 23, 2016 to consider continued licensure.

Commissioner Erickson reminded the Board that last year they came to the consensus that they would give Skjeveland Enterprises until the end of 2015 to resolve the zoning violation; if the issue wasn't resolved by then his hauler's license would be pulled for 2016. Mr. Erickson reported Environmental Services is moving forward with the license in this manner in an effort to give Mr. Skjeveland time to address non-compliance issues. Commissioner Erickson wanted to know whether or not the county could revoke the license if no gains are made by August.

County Attorney Paul Kiltinen indicated the Board could revoke the license if Mr. Skjeveland is still out of compliance in August the county's ordinance does address how to handle non-compliance issues. Mr. Kiltinen noted he would like to tighten up the ordinance language which will assist them with handling future non-compliance issues.

Commissioner Allen stated he wants Mr. Skjeveland to understand if he is not in compliance by the August 23, 2016 public hearing, his license will be pulled.

Discussion took place regarding the licensing period; as it stands the proposed resolution indicates a period from February 15, 2016 through February 14, 2017. It was the consensus of the Board the language should be changed as follows:

**THEREFORE, BE IT RESOLVED;** that the Dodge County Board of Commissioners grants a license to collect and transport solid waste in Dodge County for a period from February 15, 2016 through ~~February 14, 2017~~ August 23, 2016 to Skjeveland Enterprises.

Also reviewed was the following paragraph:

**BE IT FURTHER RESOLVED;** that the Dodge County Board of Commissioner plans to hold a Public Hearing on August 23, 2016 to consider suspension or revocation of this license to Skjeveland Enterprises in accordance to Section IX of Dodge County Ordinance No. 1, in its current form and/or as amended, if Skjeveland Enterprises is non-compliant with Conditional Use Permit #08-25 or related regulation.

The Board felt this language should be changed to read as follows:

**BE IT FURTHER RESOLVED;** that the Dodge County Board of Commissioner plans to hold a Public Hearing on August 23, 2016 to consider ~~suspension or revocation~~ extension of this license to Skjeveland Enterprises in accordance to Section IX of Dodge County Ordinance No. 1, in its current form and/or as amended, if provided that Skjeveland Enterprises is ~~non-compliant~~ in compliance with Conditional Use Permit #08-25 or related regulation.

2016 Hauler's License to Skjeveland Approved by Resolution #2016-06 - Continued

Commissioner Erickson offered the following resolution (#2016-06), seconded by Commissioner Tjosaas:

**2016 Hauler’s License to Skjeveland**

**WHEREAS,** the following waste hauler has applied for a license to collect and transport solid waste in Dodge County: Skjeveland Enterprises

**WHEREAS,** the Dodge County Solid Waste Officer has reviewed the hauler’s application and supplemental information and finds the application complete as defined in Section VIII of the Dodge County Solid Waste Ordinance No. 1; and

**WHEREAS,** the application indicates that business and off-street parking is located at 63614 130th Ave, Claremont MN; an operation that is also regulated by Dodge County Zoning Ordinance and Conditional Use Permit #08-25, Home Occupation; and

**WHEREAS,** the county is aware that Skjeveland Enterprises is not currently in compliance with Conditional Use Permit #08-25; and

**WHEREAS,** the county understands that over the past year, Skjeveland Enterprises has made an effort to move his business as a step toward gaining compliance with his Conditional Use Permit.

**THEREFORE, BE IT RESOLVED;** that the Dodge County Board of Commissioners grants a license to collect and transport solid waste in Dodge County for a period from February 15, 2016 through August 23, 2016 to Skjeveland Enterprises.

**BE IT FURTHER RESOLVED;** that the Dodge County Board of Commissioner plans to hold a Public Hearing on August 23, 2016 to consider extension of this license to Skjeveland Enterprises in accordance to Section IX of Dodge County Ordinance No. 1, in its current form and/or as amended, provided that Skjeveland Enterprises is in compliance with Conditional Use Permit #08-25 or related regulation.

**BE IT FURTHER RESOLVED;** that the enforceable conditions of each license is as follows:

1. The licensee will comply with all provisions of Dodge County Ordinance and state law.
2. The licensee will pay Transfer Station Tipping Fee and Waste-to-Energy Service Charge as determined by Dodge County.

*Resolution adopted Gray, Tjosaas, Erickson, Allen aye, Peterson nay.*

Commissioner Peterson indicated he preferred to revoke Mr. Skjeveland's hauler's license because the Board agreed in the beginning of 2015 to give Skjeveland Enterprises until the end of 2015 to get into compliance and he is still out of compliance.

2016 Hauler's License to Skjeveland Approved by Resolution #2016-06 - Continued

Ms. Cole reviewed with the Board a request to approve the 2016 hauler license.

2016 Hauler License Approved by

Commissioner Allen offered the following resolution (#2016-07), seconded by Commissioner Peterson:

Resolution #2016-07

**2016 Hauler's License**

**WHEREAS**, the following waste haulers have applied for a license to collect and transport solid waste in Dodge County:

Veit Container Corp., Waste Management Inc., Hometown Haulers LLC, Gibson Sanitation LLC, Garbage Man of Rochester LLC, and Advanced Disposal Services

**WHEREAS**, the Dodge County Solid Waste Officer has reviewed the hauler's application and supplemental information and finds that it meets requirements set forth in Dodge County Solid Waste Ordinance.

**THEREFORE, BE IT RESOLVED**; that the Dodge County Board of Commissioners grants a license to collect and transport solid waste in Dodge County for a period from February 15, 2016 through February 14, 2017 to the following haulers:

Veit Container Corp., Waste Management Inc., Hometown Haulers LLC, Gibson Sanitation LLC, Garbage Man of Rochester LLC, and Advanced Disposal

**BE IT FURTHER RESOLVED** that the enforceable conditions of each license is as follows:

1. The licensee will comply with all provisions of Dodge County Ordinance and state law.
2. The licensee will pay Transfer Station Tipping Fee and Waste-to-Energy Service Charge as determined by Dodge County.

*Resolution adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

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

01	Revenue Fund	\$ 64,814.42
13	Road and Bridge Fund	\$ 52,773.70
16	Environmental Quality Fund	\$ 10,248.35
17	Eq Revolving Equip Fund	\$ 150.00
32	County Capital Projects	<u>\$ 215,920.08</u>
	Total	\$ 343,906.55

*Motion adopted unanimously.*

Director of Land Records Ryan DeCook presented for the Board’s consideration abatement requests.

Abatement Requests Approved

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 Mr. DeCook are offering the following assessment changes for taxes payable in the years listed.

Motion by Erickson seconded by Allen to approve the following abatements requests:

Parcel ID	Owner	Street	City/TWP	Reason	Tax Reduction
23.676.1480	Beukema	112 2 <sup>nd</sup> Avenue SE	Hayfield	Fire Abatement: 7 months in 2015	<b>2015: \$303</b>
14.015.0600	Predmore	25076 542 <sup>nd</sup> Street	West Concord	Pole Shed Fire: 6 months	<b>2015: \$9</b>
24.100.0090	Kundert	101 3 <sup>rd</sup> Street NE	Kasson	2014 Fire: did not rebuild in 2015	<b>2015: \$1,081</b>
13.036.2200	Gilbertson	27270 Highway 34	Kasson	2014 Fire/explosion. Returned to property in March 2015: 2 months	<b>2015: \$239</b>

*Motion adopted unanimously.*

Mr. DeCook discussed with the Board the Boyum abatement request.

Boyum Abatement Requests Approved

Motion by Allen seconded by Peterson to approve the following abatements request:

Parcel ID	Owner	Street	City/TWP	Reason	Tax Reduction
08.024.0100	Boyum	Bare land	Kasson	Homestead	2013: \$1,811 2014: \$2,232 2015: \$2,681 Total: \$6,724
Mr. Boyum inherited an agricultural property in 2008 that he has lived at for years. During a property review Mr. Boyum asked why he could not homestead additional land. My appraiser explained that he could if it was within four townships. Mr. Boyum asked if he could do something about previous years and filled out an abatement.					

Boyum Abatement Requests Approved - Continued

*Motion adopted unanimously.*

Veteran Services Officer Todd Nelson discussed on-call drivers pay with the Board.

Veteran Services On-Call Drivers Pay Increase Approved by Resolution #2016-08

Included in the Board packet for consideration was a resolution for activation of the FY16 budgeted rate increase as authorized by the Dodge County Board of Commissioners. The increase raises the per-trip rate from \$75.00 to \$80.00.

Commissioner Tjosaas offered the following resolution (#2016-08), seconded by Commissioner Erickson:

**Veteran Services On-Call Driver Per-Trip Pay Increase**

**WHEREAS**, Dodge County Veteran Services employs on-call drivers for the transport of veterans to VA appointments at the Minneapolis and St. Cloud VA Medical Centers; and

**WHEREAS**, Dodge County Veteran Services requested a \$5.00 per-trip increase to driver payments in the FY16 budget; and

**WHEREAS**, the Dodge County Board of Commissioners approved the FY16 budget/authorization.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby increases the on-call veteran services drivers per trip pay to \$80.00. This rate will be retroactive to January 1, 2016.

*Resolution adopted unanimously.*

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's consideration.

Personnel Actions Reviewed

Motion by Allen seconded by Peterson to split the Personnel Agenda and act on items A.2 and B.1 separately. *Motion adopted unanimously.*

Personnel Actions Split

Motion by Allen seconded by Peterson to approve the following personnel actions:

Personnel Actions A.2 & B.1 Approved

**A. Sheriff's Office**

- A.2 Stephanie French – Deputy Sheriff  
Step increase from C41 12 month step \$22.29 to C41 24 month step \$23.86.  
Effective Date: 2/7/16

**B. Environmental Services**

B.1 Mary Greening – Assistant Zoning Administrator/Administrative Assistant  
Step increase from B23 step 2 \$21.92 to B23 step 1 \$22.58.  
Effective Date: 2/28/16

Personnel Actions  
A.2 & B.1 Approved  
- Continued

*Motion adopted unanimously.*

Motion by Peterson seconded by Allen to deny the following personnel action:

Personnel Action  
A.1 Denial Motion  
Failed

**A. Sheriff’s Office**

A.1 Robert Hovland – Patrol Sergeant  
Authorization to promote from Deputy Sheriff 120 month step C41  
\$29.80 to Patrol Sergeant 12 month step C43 \$31.22.  
Effective Date: 2/6/16

Motion failed, Peterson, Allen aye, Gray, Tjosaas, Erickson nay.

The Board further discussed personnel action A.1. It was pointed out Mr. Hovland temporarily served as a Patrol Sergeant for almost a year while covering for a medical leave. The request is asking that Mr. Hovland’s previous work experience as a Patrol Sergeant be taken into consideration with his promotion to full-time Patrol Sergeant.

Personnel Action  
A.1 Approved

Commissioner Gray commented if the county hired someone from outside with this experience they’d adjust the wage scale to account for the additional work experience. Mr. Gray supports the Sheriff’s request for A.1 because he felt the county has an opportunity to hire someone in house with experience.

Motion by Tjosaas seconded by Erickson approve the following personnel action:

**A. Sheriff’s Office**

A.1 Robert Hovland – Patrol Sergeant  
Authorization to promote from Deputy Sheriff 120 month step C41  
\$29.80 to Patrol Sergeant 12 month step C43 \$31.22.  
Effective Date: 2/6/16

*Motion adopted Gray, Tjosaas, Erickson aye, Peterson, Allen nay.*

The County Attorney provided the Board with a legal update.

Legal Update

Mr. Kiltinen updated the Board on the county owned lot being donated to the Habitat for Humanity.

The County Attorney further discussed the Skjeveland issue with the Board.

Commissioner Peterson presented a summary of the Public Works Committee report and action items.

Public Works  
Committee Report

The Board reviewed the County Engineer’s request to approve TH 57 retaining wall repairs.

Temporary  
Easement Along TH  
57 Approved by  
Resolution #2016-09

In order for MnDOT to repair the retaining wall along TH 57 that is adjacent to the Courthouse property, the County needs to pass the proposed resolution allowing MnDOT access on to real property during the repairs and or construction of the retaining wall.

Temporary Easement Along TH 57 Approved by Resolution #2016-09 - Continued

Included in the Board packet were parcel layouts and the proposed resolution.

The County Engineer is requesting that the County Board pass the proposed resolution allowing MnDOT to access real property in order to repair the retaining wall along TH 57.

Commissioner Peterson offered the following resolution (#2016-09), seconded by Commissioner Allen:

**Temporary Easement Along TH 57**

**WHEREAS**, the Minnesota Department of Transportation (MnDOT) is making repairs and rebuilding the old retaining wall and reconstructing sidewalk and fencing as well as performing slope improvements along TH 57 in the City of Mantorville in Dodge County under State Project (S.P.) 2007-27; and

**WHEREAS**, the County has sidewalk and County owned property adjacent to the proposed wall reconstruction along T.H. 57 (see attached Exhibit A); and

**WHEREAS**, MnDOT will take over the properties from the County via Temporary Commissioner’s Order for the purposes of designing and constructing the project; and

**WHEREAS**, MnDOT has requested that Dodge County designate the property as temporary right-of-way for “public roadway purposes”.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners in and for Dodge County, Minnesota does hereby designate the property as temporary right-of-way as shown on Exhibit A for public roadway purposes.

*Resolution adopted unanimously.*

Also included in the motion was authorization for the Chair and Deputy Clerk to sign the Temporary Permit to Construction form as presented.

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

Administration Committee Report

Motion by Erickson seconded by Peterson to approve and authorize the January 26, 2016 Committee of the Whole meeting minutes as corrected on page 1 and 6. *Motion adopted unanimously.*

01/26/16 Committee of the Whole Meeting Minutes Approved

Motion by Allen seconded by Tjosaas to approve and authorize the January 26, 2016 meeting minutes as corrected on page 24. *Motion adopted unanimously.*

01/26/16 Meeting Minutes Approved



Commissioners provided their agency reports. Commissioner Allen attended a Building Committee meeting. Commissioner Erickson attended a County Board meeting, a Dodge/Steele Community Health Board meeting, a Construction Committee meeting, a SCHA Joint Powers Board meeting, a Construction Committee meeting and a Building Committee meeting. Commissioner Gray attended a Community Health Board meeting, a Dodge County Board meeting, a Zip Rail CAC meeting, an Ice Arena meeting, a meeting with Administration and a Building Committee meeting. Commissioner Peterson did not have any meetings to report. Commissioner Tjosaas attended a COG meeting, a Semcac Finance meeting and a Semcac Board meeting.

Agency Reports

Motion by Tjosaas seconded by Peterson to adjourn the meeting at 10:30 a.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on February 23, 2016 at 5:30 p.m. CST.

Next Regular Meeting

**ATTEST:**

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**STEVEN GRAY  
CHAIR, COUNTY BOARD**

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**BECKY LUBAHN  
DEPUTY CLERK**

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**DATED:**