

**TUESDAY, SEPTEMBER 13, 2016**

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

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

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2015-18**

The Dodge County Commissioners met in regular session September 13, 2016, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. CDT. Chair Steven Gray called the meeting to order at 9:30 a.m. CDT. Meeting Convened

The pledge of allegiance was recited. Pledge of Allegiance

The Chair acknowledged those present: Those Present

Members present:	Tim Tjosaas	District #2
	Rodney Peterson	District #3
	David Erickson	District #4
	Steven Gray	District #5
Members absent:	John Allen	District #1
Also present:	Becky Lubahn	Deputy Clerk
	Lisa Kramer	Finance Director

Motion by Erickson seconded by Tjosaas to approve and adopt the agenda as amended to include further budget discussions at the end of the proposed agenda. *Motion adopted unanimously.* Agenda Approved

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

- 1.1 Setting 2016 flu shot fee at \$37.00 per shot.
- 1.2 Sub-Recipient Agreements with the SEMWRB to continue SE Minnesota Volunteer Nitrate Monitoring Network for an additional two years (mid-2016 through mid-2018) and authorize the Water Program Manager to sign the grant agreement on behalf of the county, as well as, any future amendments to this agreement.

*Motion adopted unanimously.*

Zoning Administrator Melissa DeVetter presented for the Board's consideration the September 7, 2016 Planning Commission recommendations. IUP #16-06 Discussion

Jim Johnson – IUP#16-06 was discussed.

Commissioner Peterson expressed his concern with the request. Mr. Peterson stated this is an agricultural county and the applicant lives in an agricultural area. Mr. Peterson felt this type of business would be better suited for an industrial park within the city limits.

Commissioner Erickson discussed the need to control the businesses growth. It was Mr. Erickson's hope that if the business gets too big for its current location that they would move the business to an industrial park within the city limits. Mr. Erickson however understood that in most cases it's not practical for startup businesses to start out in an industrial park.

IUP #16-06  
Discussion -  
Continued

Commissioner Tjosaas concurred with Commissioner Erickson's comments. Mr. Tjosaas stated these types of businesses need to start somewhere.

Commissioner Allen arrived to the meeting at 9:38 a.m. DCT.

Commissioner Allen  
Arrived

Motion by Erickson seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on September 7, 2016 with the reasons, recommendations, and conditions as found in the individual permit:

IUP #16-06  
Approved

**Jim Johnson – IUP#16-06**

The first public hearing is to consider an application for an Interim Use Permit to allow a Limited Rural Business in an accessory structure in the Rural Residential District. The parcel is 1.95 acres located in all of Block 22 of the Original Plat in the Village of Wasioja in Section 13 Wasioja Township. Jim Johnson is the applicant and the property owner.

The Planning Commission recommends approval with the following conditions:

1. Operation will comply with all local, state, and federal regulations which pertain to the business conducted onsite.
2. A Zoning Permit shall be issued prior to construction of the accessory building.
3. No access, vehicle traffic or storage of materials shall take place on the west side of the building to ensure the integrity of the drain field.
4. Surface water shall be diverted away from the drain field with the use of gutters on the building and diversion berms.
5. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.
6. When present, floor drains from the shop shall meet EPA requirements.
7. Any business related sign shall meet the performance standards of the Dodge County Zoning Ordinance. A sign in the Rural Residential Zoning District shall not exceed nine (9) square feet and shall be set back a minimum of ten (10) feet from the right-of-way.
8. Any change involving the addition of new business related structures or employees beyond that specified in the home occupation agreement/application on file with the IUP, enlargement, intensification of the use or similar changes not specifically permitted by the IUP shall require an amended IUP to be issued.

9. The business shall comply with the conditions of this permit, information provided by the applicant, supporting documentation and the Home Occupation/Limited Rural Agreement, which shall be recorded with the IUP.

IUP #16-06  
Approved -  
Continued

10. The business shall comply with the Nuisance Standards. Nuisance complaints shall result in review of the IUP by the Planning Commission.

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

Director of Land Records Ryan DeCook and IT Specialist Eric Schwartz met with the Board to discuss long term record storage.

Purchase of Long  
Term Record  
Storage System for  
Land Records  
Approved

MN Statute 386.459 requires the county to store and preserve the information contained in the records to the extent specified by law.

Land Records is currently using a product called a Plasmon Jukebox for their backup storage for the county recording index. This product has become outdated and they have been notified that support for the product will no longer be available in the near future. The current product replicates data on disks and they store the back up to those disks down the street. Land Records current vendor (ISC) is offering a new product called Assureon.

With the help of the county’s IT Department Land Records was able to find a new product that will improve the way they store their data, that will be supported in the future, and they have an opportunity to share the cost of the product with Waseca County. This product is three years old and 12 other counties are using it. Assureon would protect and replicate data in real-time and the data cannot be changed. By sharing software and data storage capability with Waseca Land Records both counties would be protecting their data offsite. Each county would purchase a server. The servers would communicate with each other and back up each county’s data. They would both have dedicated space available which is one reason they approached Waseca. Waseca data storage needs are very similar to ours. For the reasons listed above, Assureon is a system they feel is well suited for Dodge County.

MN Statute 357.18 creates a fund for equipment purchases such as this. A certain amount of money from each recorded document is to be set aside for technology purchases that improve and maintain the county recording system. Land Records has the appropriate funds available to purchase this equipment in the 2017 budget.

Motion by Erickson seconded by Peterson to approve and authorize Land Records to work out an agreement with Waseca County to purchase a Nexsan Assureon Replicated Data Archiving System at a cost to Dodge County of \$19,995.00 and annual support cost of \$2,495.00 for the 2017 assessment.  
*Motion adopted unanimously.*

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

Personnel Actions  
Approved

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

**A. Sheriff’s Office**

- A.1 Gerald Runnells – Deputy Sheriff  
Authorization to change status from full-time to on-call.  
Effective Date: 9/8/16
- A.2 Deputy Sheriff – FT  
Authorization to post and fill full-time vacancy.  
Effective Date: 9/13/16
- A.3 Galen Heinle – Deputy Sheriff - .70 FTE  
Step increase from C41 60 month step \$27.31 to C41 72 month step \$27.96.  
Effective Date: 8/20/16
- A.4 Kevin Krause – Deputy Sheriff  
Step increase from C41 96 month step \$29.22 to C41 120 month step \$29.80.  
Effective Date: 8/26/16

Personnel Actions  
Approved -  
Continued

**B. Environmental Services**

- B.1 Rob Naatz – Solid Waste Facility Operator I  
Annual review.  
Effective Date: 7/1/16
- B.2 Rita Cole – Environmental Technician  
Recommend step increase from B23 step 5 \$20.00 to B23 step 4 \$20.66.  
Effective Date: 9/8/16

**C. Administration**

- C.1 Jim Elmquist – County Administrator  
Authorization to employ at E91 step 5 \$51.51 to fill approved vacancy.  
Effective Date: 9/26/16

**D. Public Health**

- D.1 Robyn Warner – Case Aide  
Step increase from B22 step 3 \$20.02 to B22 step 2 \$20.62.  
Effective Date: 8/29/16

**E. Attorney**

- E.1 Crysta Parkin – Assistant County Attorney  
Step increase from C43 step 6 \$30.55 to C43 step 5 \$31.96.  
Effective Date: 5/16/1

**F. Land Records**

- F.1 Wendy Iverson – Assessment Office Manager  
Step increase from C41 step 5 \$25.54 to C41 step 4 \$26.48.  
Effective Date: 9/13/16

*Motion 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	\$ 45,118.61
13	Road and Bridge Fund	\$ 83,580.25
16	Environmental Quality Fund	<u>\$ 31,071.11</u>
	Total	\$ 159,769.97

*Motion adopted unanimously.*

The County Attorney arrived to the meeting at 10:00 a.m. CDT.

County Attorney  
Arrived

Ms. Culbertson presented for the Board’s consideration a request to approve the classification of tax forfeited property.

Classification of Tax  
Forfeited Land  
Approved by  
Resolution #2016-38

According to MS 282.01 the County Board must classify properties which have been forfeited to the state for nonpayment of taxes. This is the first step before the land may be sold at public auction. All of the property but one is located within city limits. The one property not within city limits is located in the township of Canisteo. Ms. Culbertson informed the Board she has included in the Board packet aerial photos of the forfeited parcels as well as literature from Statute 282.01, 282.018, 85.012, 92.461 and from the Delinquent Tax and Tax Forfeiture Manual to aid them in their determination. The current classification of these properties is non-conservation. It was the Tax Payer Services Director’s recommendation that all the parcels in the proposed list be classified as non-conservation.

Once the Board’s determination is made the list will be sent to the Minnesota Department of Natural Resources (DNR) and the cities and township for their approval.

Commissioner Erickson offered the following resolution (#2016-38), seconded by Commissioner Allen:

**Classification of Tax Forfeited Land**

**WHEREAS**, the County Board of Commissioners of the County of Dodge, State of Minnesota, desires to offer for sale certain parcels of land that have been forfeited to the State of Minnesota for non-payment of taxes; and

**WHEREAS**, the Dodge County Board of Commissioners hereby certify that all parcels of land on the attached list have been viewed and comply with the provisions of Minnesota Statutes 85.012; 92.461; 282.01, Subd. 8; and 282.018; and other statutes that require the withholding of tax-forfeited lands from sale.

**NOW, THEREFORE BE IT RESOLVED**, that said parcels of land be classified as non-conservation lands as provided for in Minnesota Statutes listed above.

*Resolution adopted unanimously.*

The Taxpayer Services Director presented for the Board's consideration a resolution to request approval from the Minnesota DNR for the sale of tax-forfeited property.

Request Approval  
from MN DNR for  
Sale of Tax Forfeited  
Property – Resolution  
#2016-39

As part of the process for the sale of tax-forfeited property, the list of tax-forfeited property must be sent to the Minnesota Department of Natural Resources to obtain their permission for sale.

According to MS 282.01 the County Board must pass a resolution for this purpose.

Ms. Culbertson discussed the list of forfeited parcels which the Board was asked to classify as non-conservation lands earlier at the meeting.

Request Approval from MN DNR for Sale of Tax Forfeited Property - Resolution #2016-39– Continued

The documentation governing the certification that these lands do not need to be withheld from sale is the same documentation presented with the classification resolution.

Commissioner Allen offered the following resolution (#2016-39), seconded by Commissioner Peterson:

**Request Approval from Minnesota Department of Natural Resource for the Sale of Tax Forfeited Property**

**WHEREAS**, the County Board of Commissioners of the County of Dodge, State of Minnesota, desires to offer for sale certain parcels of land that have been forfeited to the State of Minnesota for non-payment of taxes; and

**WHEREAS**, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

**NOW, THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the sale of said lands.

*Resolution adopted unanimously.*

Ms. Culbertson presented for the Board’s consideration a mobile home penalty and interest abatement request.

Uncollectible Mobile Home Tax Write Off Approved

The Taxpayer Services Director informed the Board Gary Hart has submitted a request to abate the penalty and interest for the 2008 through 2012 taxes on a mobile home that he purchased in Kasson. Since Mr. Hart purchased the mobile home in 2013 the taxes have been paid in full and mostly on time. Mr. Hart was a week late only one time. Mr. Hart has repeatedly asked the Finance staff how he could get the back taxes cleared up. Finance informed him that Revenue Recapture through the State of MN is our means of getting past due mobile home taxes cleaned up. Finance urged him to contact the previous owner to see if they would pay the taxes, which he has attempted to do. Mr. Hart wants to get the mobile home into his name but until the taxes are paid Finance cannot issue the letter needed to do that transfer. In his abatement application, Mr. Hart states that he feels the previous owner is responsible for the penalty and interest but he would pay the tax portion of the 2008 through 2012 taxes. Mr. Hart has indeed payed the \$630.00 in past due taxes. Although he feels the penalty and interest should be on the previous owner, Mr. Hart is asking that the Board abate the penalty and interest in the amount of \$420.60 so he can obtain titled ownership of his mobile home.

The County Treasurer along with the Commissioners have the right to cancel both tax, penalty and interest that they deem uncollectable on mobile homes and personal property (Statute 277.24). After attempting to collect through Revenue Recapture since 2008 Finance has received nothing toward the tax, penalty and interest for the delinquent years and feel this is uncollectable.

It is the Finance staff’s recommendation that the county write off the penalty and interest for the delinquent years.

Uncollectible Mobile Home Tax Write Off  
Approved - Continued

Commissioner Gray asked the County Attorney for his input on the request.

Mr. Kiltinen stated this is a unique situation in which he feels Finance has explored all of the available options.

Motion by Erickson seconded by Tjosaas to approve and authorize the Finance Office to write off uncollectable mobile home taxes from 2008-2012 on parcel 24.951.0038 as recommended. *Motion adopted unanimously.*

The Chair recessed the meeting at 10:07 a.m. CDT.

Meeting Recessed

The Chair reconvened the meeting at 10:17 a.m. CDT.

Meeting Reconvened

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

Legal Update

Economic Development Consultant Tom Monson discussed with the Board an Al-Corn Clean Fuel tax abatement application request.

Al-Corn Clean Fuel Tax Abatement Public Hearing Date Set

On February 12, 2016, Mr. Monson met with Randall Doyal, CEO and Chad Miller, CFO of Al-Corn Clean Fuel to hold an initial discussion of their proposed expansion. Since then Al-Corn has submitted an application for Dodge County Tax Abatement.

Included in the Board packet was an Economic Development resolution which was approved on August 22, 2016 by the Economic Development Authority Board.

Mr. Monson shared the following information with the Board:

**Requested Tax Abatement Terms:**

75% of new property taxes in township parcels rebated for 10 years.

**Project Capital Investment:**

\$146,000,000

**Preliminary Taxable Value Estimate:**

\$14,000,000 (\$7,000,000 in City of Claremont; \$7,000,000 in Claremont Township).

**Job Creation:**

8-15 FTE

**Alignment with Subsidy Policy:**

Increase tax base and create jobs, meeting policy requirement of two of six in 5.03. Additionally aligns with industry priorities of agriculture and manufacturing.

**City Involvement:**

The City of Claremont has been awarded \$500,000 from the Department of Employment & Economic Development towards improvements to 5th Street and will be holding a public hearing for a Tax Increment Financing District on the portion of the project in city limits on September 13. The total street improvements were assigned a preliminary engineering estimate of \$1,128,914.

Al-Corn Clean Fuel  
Tax Abatement  
Public Hearing Date  
Set - Continued

**Recommended Public Hearing Schedule:**

September 27, 2016, at 5:30 p.m. in Board Room B of the Government Services Building, 721 Main Street North, Mantorville, MN 55955.

Commissioner Erickson stated the term of the extension is 10 years.

Mr. Monson confirmed the Al-Corn application for tax abatement request is for 10 years.

Commissioner Gray asked for the County Attorney’s input on the request.

Mr. Kiltinen reported they have done this type of abatement in the past.

Commissioner Erickson suggested that Director of Land Records Ryan DeCook be invited to attend the public hearing to answer questions.

Commissioner Peterson pointed out item 1.04 indicates taxes will commence with taxes payable 2017. Mr. Peterson stated if the expansion project construction won’t be complete until 2018 the language should be changed to reflect the constructions actuality.

Mr. Monson state it was their intent to say 2017 taxes payable in 2018. Mr. Monson will make the necessary changes to the abatement paperwork.

Motion by Erickson seconded by Allen to set the Al-Corn Clean Fuel Tax Abatement Public Hearing date for September 27, 2016, at 5:30 p.m. in the Board Room B at the Government Services Building, 721 Main Street North, Mantorville, MN 55955. *Motion adopted unanimously.*

Commissioner Allen presented a summary of the Public Safety Committee report and action items.

Public Safety  
Committee Report

The Board reviewed Deputy Mark Dyshaw’s request to approve a 2016/2017 Towards Zero Deaths Grant.

2016/2017 Toward  
Zero Deaths  
Program Grant

Commissioner Peterson offered the following resolution (#2016-40), seconded by Commissioner Allen:

Approved by  
Resolution #2016-40

**2016/2017 Toward Zero Deaths Program Grant**

**BE IT RESOLVED** that the Dodge County Sheriff’s Office enter into a grant agreement with the Minnesota Department of Public Safety, for traffic enforcement projects during the period from October 1, 2016 through September 30, 2017.



The Dodge County Sheriff is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Dodge County Sheriff's Office and to be the fiscal agent and administer the grant.

2016/2017 Toward  
Zero Deaths  
Program Grant  
Approved by  
Resolution #2016-40  
- Continued

*Resolution adopted unanimously.*

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 August 23, 2016 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

08/23/16 Committee  
of the Whole  
Meeting Minutes  
Approved

Motion by Tjosaas seconded by Peterson to approve and authorize the August 23, 2016 meeting minutes as amended on page 192. *Motion adopted unanimously.*

08/23/16 Meeting  
Minutes Approved

Commissioners provided their agency reports. Commissioner Allen attended a Ripley Township meeting and worked on the parking lot at Fairview. Commissioner Erickson attended a Chadwick Trauma Informed System Project meeting, a Fairview Care Center meeting, a SCHA Joint Powers Board meeting, a Ripley Township Board meeting, a Westfield Township Board meeting, a Root River One Watershed – One Plan open house, a Southeast Minnesota Emergency Management meeting and a Workforce Development meeting. Commissioner Gray attended a regular Board meeting, a Board of Adjustment meeting, a Zumbro Watershed Project meeting and a Rail Transportation forum. Commissioner Peterson attended a SE MN Water Board meeting, a One Watershed One Plan open house, a Fairview picnic, a turn back meeting with Ripley Township, a turn back meeting with Westfield Township and a Chadwick Trauma Super Community meeting. Commissioner Tjosaas attended a Semcac meeting and a KM High School open house.

Agency Reports

The County Attorney left the meeting at 11:16 a.m. CDT.

County Attorney Left  
Meeting

Commissioner Gray indicated he was supportive of an 8% preliminary levy increase.

Budget Discussions  
Continued -

Commissioner Tjosaas stated he would not support a 4% increase, he felt something unforeseen could come up in the next month and setting a 4% levy increase could be problematic for them later. Mr. Tjosaas stated he would rather explain to people with questions why the Board chose to set the preliminary levy at the rate that it was set.

Commissioner Gray commented everyone knows the preliminary rate isn't a serious number.

Commissioner Erickson stated past practice has been that if you start higher with the preliminary levy you don't tend to cut much. Mr. Erickson was supportive of a 5 - 5 ½ % levy increase.

Ms. Kramer reiterated all other departments are at the 3.4%, revenues are flat and expenditures are at 3.4% which is under the goal.

Budget Discussions Continued -

It was the consensus of the Board the departments under their 3.4% goal were fine and departments above that figure be asked to revisit their requests in an effort to find places they could make some additional cuts.

Motion by Peterson seconded by Tjosaas to adjourn the meeting at 11:55 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on September 27, 2016 at 5:00 p.m. CDT.

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:**