

**TUESDAY, JANUARY 12, 2010**

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

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

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2010-02**

The Dodge County Board of Commissioners met in regular session January 12, 2010, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CST. Lyle Tjosaas, 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:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5
Members absent:	None	
Also present:	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Gray seconded by Hanson to approve and adopt the agenda as amended to include a Human Services action item. *Motion adopted unanimously.*

Agenda Approved

Commissioner Hanson provided a summary of the Public Safety Committee report and action items.

Public Safety  
Committee Report

The Board reviewed the Sheriff's request to approve a law enforcement contract for 2010 with the City of Dodge Center.

2010 Law  
Enforcement  
Contract with the City  
of Dodge Center  
Approved

It was noted that the hourly rate is the only change on the 2010 contract; all other language remains the same.

Motion by Hanson seconded by Erickson to approve and authorize the Sheriff, Chairman of the Board, Deputy Clerk and County Attorney to sign a law enforcement contract with the City of Dodge Center as presented for 2010. *Motion adopted unanimously.*

The Board discussed the Sheriff's request to contract with a different company for background investigations.

Background Check  
Vendor Change  
Approved

The current contract with Lexus-Nexus has expired and the Sheriff's Office is operating on a monthly fee basis of \$125.00 per month plus an additional charge for each investigation.

The Sheriff's Office has a new proposed contract with WEST Clear Investigations for a monthly fee of \$120.80 which is their 2009 contract price with no additional fee for each investigation. If the county signs the proposed agreement at this time the Sheriff's Office will receive the 2009 price, compared to the 2010 price of \$151.00 per month. A copy of the contract was provided in the Board packet for review. It was noted that the contract is for 36 months.

Background Check  
Vendor Change  
Approved -  
Continued

Motion by Hanson seconded by Erickson to approve and authorize the Chair to sign a service agreement with WEST Clear Investigations for background investigations at a cost of \$120.80 per month for 2010. *Motion adopted unanimously.*

County Engineer Guy Kohlnhofer met with the Board to discuss a request to schedule a Highway Department Capital Improvement Plan (CIP) public hearing.

CIP Public Hearing  
Date Set

Mr. Kohlnhofer reported that the Five Year Capital Improvement Plan for highway improvements through 2012 has been prepared. The County Engineer noted that a public hearing has to be held prior to adopting the plan.

The County Engineer informed the Board that the hearing will be held in the evening for maximum participation and that the typical meeting time is 7:00 p.m.

Motion by Gray seconded by Alberts to set the Five Year Capital Improvement Plan public hearing for highway improvements through 2012 for Thursday, January 28, 2010 at 6:00 p.m. CST at the Dodge County Courthouse, Mantorville, MN. *Motion adopted unanimously.*

Sheriff Jim Trihey discussed with the Board his recommendation to reduce the number of contracted jail beds with Steele County.

Jail Bed Contract  
Reduction Approved

Motion by Alberts seconded by Erickson to direct the Sheriff to send a letter to Steele County stating Dodge County's desire to reduce the number of contracted jail beds from 23 back down to 20 beds per day effective February 1, 2010. *Motion adopted unanimously.*

Environmental Services Director Mark Gamm presented for the Board's consideration the 2010 Natural Resources Block Grant Agreement.

2010 Natural  
Resources Block  
Grant Agreement  
Approved

Mr. Gamm reported that the Natural Resources Block Grant provides state funding for the county's feedlot, wetland, shoreland, septic, and water management activities. Dodge County is eligible to receive \$70,909 (plus Septic Grant when determined) for their budget years 2010 to 2011.

Motion by Gray seconded by Alberts to approve and authorize the Environmental Services Director to sign the 2010 Natural Resources Block Grant Agreement on behalf of the county as requested. *Motion adopted unanimously.*

Mr. Gamm discussed with the Board his request to approve a resolution clarifying delegation authority for the Wetland Conservation Act (WCA).

Administration of  
Wetland  
Conservation Act  
Approved by  
Resolution #2010-03

The Environmental Services Director informed the Board that they are responsible for making decisions related to the WCA. Mr. Gamm also noted that the County Board has authority to delegate its decision making authority to county staff. In December 1993, the Board delegated the administrative responsibilities to the county Environmental Quality Office on an interim basis. Recently, the Board of Water and Soil Resources has requested that the county clarify WCA administration and delegated authority.

Motion by Gray seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2010-03 in support of delegating the Wetland Conservation Act administrative duties to the Environmental Services Director and appointing the Dodge County Wetland Technical Evaluation Panel:

**WHEREAS**, Dodge County is authorized by Minnesota Administrative Rules Part 8420.0200, Subpart 2, to delegate certain functions with regard to implementation of the Wetland Conservation Act, includes decision authority for exemption, no loss, wetland boundary and type, replacement plan, and wetland banking determinations with its staff.

**THEREFORE BE IT RESOLVED**, by the Board of Commissioners of Dodge County that decision authority for exemption, no loss, wetland boundary and type, sequencing determinations, replacement plan, and wetland banking determinations are placed with the Dodge County Environmental Services Director.

**BE IT FURTHER RESOLVED**, by the Board of Commissioners of Dodge County that the following individuals are appointed to serve as the Dodge County Wetland Technical Evaluation Panel: Dodge County Highway Engineer, a representative from the Dodge SWCD, and a representative from the Board of Water and Soil Resources.

*Resolution adopted unanimously.*

The Environmental Services Director introduced Christopher Giesen of SE MN Development Corp (SEMDC).

County Board  
Introduced to Dodge  
County EDA  
Representative

Mr. Gamm reminded the Board that the county has a contract with SEMDC to provide services for economic development in 2010. The representative from SEMDC that has been assigned to Dodge County is Christopher Giesen. Mr. Giesen has a college degree in political science. Christopher Giesen's work experience includes economic development assistance to the City of Harmony.

Mr. Giesen briefly discuss with the Board his background, work schedule and initial work plan.

The Board welcomed Mr. Giesen.

Mr. Gamm introduced Chad Knutson who is the new Environmental Technician in his office. Mr. Knutson briefly discussed his background and what duties he will be assuming in the Environmental Services Department. It was noted that Mr. Knutson's office is located in the former Public Health area downstairs.

New Employee  
Introduced

The Board welcomed Mr. Knutson.

Finance Director Lisa Kramer discussed with the Board 2010 incidental expense payments and noted that every year the county pays incidental expenses as Auditor Warrants.

Payment of Incidental  
Expenses for 2010  
Approved

Motion by Gray seconded by Alberts to approve and authorize the payment of incidental and necessary expenses by authorization of the Finance Office approved by an Auditor Warrant for the following: qualified bills, salaries, wages, benefits, related withholdings, previously presented commissioner warrants, training, conferences and related travel expenses, jurors and witness expenses, background checks necessary for employment, postage, vehicle registration/tabs, telephone, freight, claims approved by other authorized boards, claims that are due and would incur interest and penalties, and any claims authorized by state statutes, and various state agencies pursuant to MS 384.13, 375.16., 378.18, 471.38 Subd. 2. The Board may review the Auditor's Register and Payroll register monthly to determine appropriate payments of these incidental expenses. *Motion adopted unanimously.*

The Finance Director presented for the Board's consideration the proposed 2010 savings rate.

2010 Savings Rate  
Set by Resolution  
#2010-04

Ms. Kramer reported that in January of every year, the county establishes a savings rate by resolution for Governmental Agencies that qualify for accrued interest. Family Services Collaborative is currently the only governmental agency that qualified for this rate. The county will consider Wells Fargo savings account rate as the benchmark rate and set the interest rate at .25% for 2010.

Motion by Alberts seconded by Erickson to approve and authorize the Chair and Deputy Clerk to sign resolution #2010-04 setting the 2010 savings rate:

**WHEREAS**, Dodge County needs to establish an annual interest rate payable to governmental agencies that qualify for accrued interest; and

**WHEREAS**, the interest rate used by Wells Fargo Bank savings account will be considered the benchmark rate; and

**WHEREAS**, the general funds were invested in the year 2009 in a money market savings account earning 0.25% at year end 2009.

**THEREFORE BE IT RESOLVED**, that the year 2010 annual interest rate payable to qualified agencies shall be 0.25%.

*Resolution adopted unanimously.*

Ms. Kramer presented for the Board's review the 2008 audit representation letter. The letter outlines what has been reviewed in the audit, and what methods have been used by the auditors. For our part the county is stating that nothing has happened subsequently to materially change what is reported in the 2008 audit.

2008 Audit  
Representation Letter  
Approved

Motion by Gray seconded by Erickson to approve and authorize the Chair and Finance Director to sign the 2008 audit representation letter as presented.  
*Motion adopted unanimously.*

Commissioner Gray provided a summary of the Public Works Committee report and action items.

Public Works  
Committee Report

The Board discussed the County Engineer's request to approve a speed zone study resolution.

Speed Zone Study  
Approved by  
Resolution #2010-05

A request was made by the City of Dodge Center to lower the speed limit on CSAH 34 past the high school. This request raises the issue of speed signing along all of CSAH 34 in Dodge Center. Due to the jurisdictional change and reconstruction of the roadway the posted speed limit for this section of CSAH 34 is no longer valid. For this reason, a speed study to determine the correct speed limit is needed. The speed study must be conducted by MnDOT personnel under the direction of the Minnesota Commissioner of Transportation.

In order to request the speed study to be performed a resolution must be passed.

Motion by Gray seconded by Alberts to approve and authorize the Chair and Deputy Clerk to sign resolution #2010-05 in support of a Speed Zone Study on CSAH 34 from 10th Avenue NE in Dodge Center to CSAH 25:

**WHEREAS**, the County Board of Commissioners of Dodge County, under consultation of the County Engineer, have determined that certain county highways within Dodge County are not legally signed for a posted speed limit; and,

**WHEREAS**, the existing road not properly posted is:

CSAH 34 from 10 Avenue NW in Dodge Center to 1400' east of CSAH 25

**WHEREAS**, in order to properly post legal speed limits a speed zone study is required by Minnesota State Statute 169.14.

**NOW THEREFORE BE IT RESOLVED**, the Dodge County Board of Commissioners request the Minnesota Commissioner of Transportation to authorize a speed zone study of the road segment listed above.  
*Resolution adopted unanimously.*

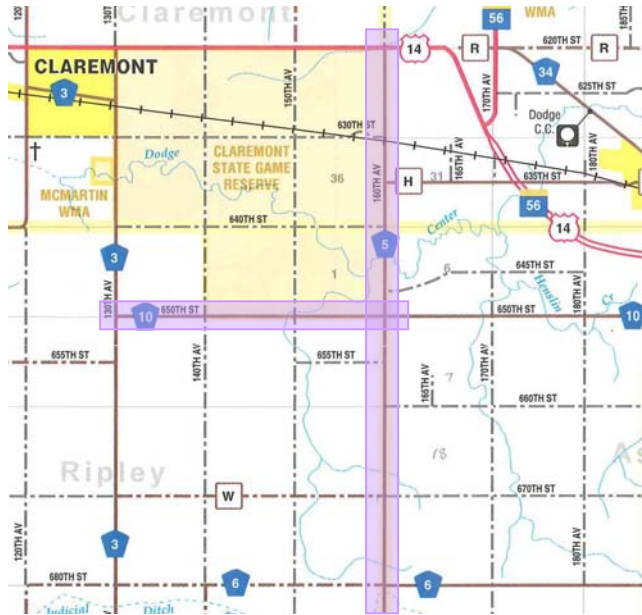
The Board reviewed the Highway Department’s request to advertise for 2010 bituminous projects.

Advertising for 2010 Bituminous Projects Approved

This project is for bituminous pavement reclamation, bituminous surfacing, bituminous overlay, and aggregate shouldering on CSAH 5 and CAR 10.

The 2010 Bituminous project includes:

- 1. SAP 20-605-024                      CSAH 5 – Between CSAH 6 and CSAH 10
- 2. SAP 20-605-025                      CSAH 5 – Between CSAH 10 and TH 14
- 3. SAP 20-610-007                      CSAH 10 – Between CSAH 3 and CSAH 5



The project will be done using State Aid funds. Costs have been estimated for this project; however, in order to preserve the bidding process, they are not available for public release at this time.

Motion by Gray seconded by Alberts to approve and authorize the Highway Department to advertise for 2010 bituminous projects with a bid opening on February 24, 2010 at 11:00 am. *Motion adopted unanimously.*

The Board discussed the County Engineer’s request to reject the 2010 fuel bids.

2010 Fuel Bids Rejected

Bids were opened on December 30, 2009 for gasoline and diesel fuel contracts. Below is a summary of the bids received. (The bids do not include state and federal taxes.)

Central Valley	Bid Price	Add Tax	Effective Total
Gas – Hwy Shop	2.667	.14	2.807
Diesel – Hwy Shop	2.540	.51	3.05
Gas – Sheriff’s Shop	2.767	.14	2.907
Diesel – Hayfield Shop	2.800	.51	3.31

Farm Country	Bid Price	Add Tax	Effective Total
Gas – Hwy Shop	2.729	.14	2.869
Diesel – Hwy Shop	2.699	.51	3.209
Gas – Sheriff’s Shop	2.829	.14	2.969
Diesel – Hayfield Shop	NA	.51	NA

2010 Fuel Bids  
Rejected - Continued

As of January 5, 2009 pump prices for gasoline and diesel are approximately \$2.65/gallon and \$2.85/gallon respectively.

Given that the effective total on the bids received are significantly above the current pump prices, the Highway Department recommends rejecting the bids and purchasing fuel at current market prices as has been previous practices.

Motion by Gray seconded by Alberts to approve the Highway Department’s recommendation to reject the 2010 fuel bids and purchase fuel at the current market price. *Motion adopted unanimously.*

Tax Services Director Rose Culbertson reviewed year end 2009 bills with the Board. No action was required, payment of 2009 year end bills was previously approved on December 22, 2009.

2009 Year End Bills  
Reviewed

Ms. Culbertson reviewed current bills with the Board. Motion by Alberts 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	\$264,666.20
11	Human Services Fund	\$ 15,355.61
13	Road and Bridge Fund	\$145,889.77
16	Environmental Quality Fund	\$ 38,527.31
30	County Building Fund	\$218,515.00
32	County Capital Projects	\$ 40,466.05
65	General Obligation Solid Waste Rev Bonds	<u>\$ 21,647.50</u>
	Total	\$745,067.44

A payment in the amount of \$4,919.50 to Ratwik, Roszak & Malone PA for legal work for an employment issue was added to the bills.

*Motion adopted unanimously.*

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Boards consideration. Motion by Gray seconded by Erickson to approve the following personnel actions:

Personnel Actions  
Approved

**A. Sheriff’s Office**

- A.1 Benton Bohle – Deputy Sheriff  
Authorization to extend temporary full-time status due to a leave of absence.  
Effective Date: 12/31/09 – 2/28/10
- A.2 David Elliott – Transport Officer  
Step increase from B21 step 7 \$13.40 to B21 step 6 \$13.84.  
Effective Date: 7/1/09

**B. Human Services**

B.1 Kelly Madsen – Support Services Supervisor  
Step increase from C42 step 8 \$22.21 to C42 step 7 \$22.91.  
Effective Date: 12/23/09

Personnel Actions  
Approved -  
Continued

**C. Administration**

C.1 Rose Culbertson – Taxpayer Services Director  
Step increase from C41 step 6 \$22.55 to C41 step 5 \$23.20.  
Effective Date: 12/26/09

C.2 Leah Olson – Drug Court Intern  
Authorization to complete 480 hour internship with Drug Court.  
Effective Date: 12/29/09

C.3 Greg Thoe – Custodian/Maintenance Temporary  
Authorization to employ at A13 step 9 \$12.11 to fill approved temporary  
vacancy.  
Effective Date: 1/4/10-2/26/10

**D. Environmental Services**

D.1 Rita Cole – Waste Management Specialist  
Step increase from B22 step 9 \$14.28 to B22 step 8 \$14.74.  
Effective Date: 1/1/10

**E. Highway Department**

E.1 Andrew Hesel – Operator II  
Completion of trial work period and step increase from B22 90% \$16.57  
to B22 100% \$18.42.  
Effective Date: 1/1/10

*Motion adopted unanimously.*

County Attorney Paul Kiltinen provided the Board with a legal update. Mr. Kiltinen informed the Board that the county will be starting the second of three jury trials shortly, they are currently in the process of picking jurors for the second trial.

Legal Update

Also discussed was the cost of the trials to the county, the possibility of a change of venue for the second jury trial and the estimated timeframe for the third jury trial.

The Board thanked the County Attorney for the update.

The County Attorney left at 10:40 a.m. CST.

County Attorney Left Meeting

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

Human Services Committee Report

Motion by Erickson seconded by Hanson to approve Human Services actions consistent with Human Services resolution #95-10:

Human Services  
Resolution #95-10  
Approved

- Authorize payment of all claims and bills received in the prior month.
- Approve all Financial Assistance case actions taken in the prior month.
- Approve all Social Services case actions taken in the prior month.
- Approve destruction of closed cases listed for destruction in the prior.

*Motion adopted unanimously.*

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

Administration  
Committee Report

Motion by Erickson seconded by Gray to approve and authorize the December 22, 2009 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

12/22/09 Committee  
of the Whole Meeting  
Minutes Approved

Motion by Gray seconded by Hanson to approve and authorize the December 22, 2009 meeting minutes as presented. *Motion adopted unanimously.*

12/22/09 Meeting  
Minutes Approved

Motion by Erickson seconded by Alberts to approve and authorize the December 22, 2009 Dodge Corporation meeting minutes as presented. *Motion adopted unanimously.*

12/22/09 Dodge  
Corporation Meeting  
Minutes Approved

Motion by Gray seconded by Erickson to approve and authorize the January 5, 2010 organizational meeting minutes as presented. *Motion adopted unanimously.*

01/05/10  
Organizational  
Meeting Minutes  
Approved

The Board reviewed the Accounting Services Director's request to approve a 2010 liquor license renewal request for E & H Company (Prime Time Grill).

E&H Liquor License  
Renewal Approved

E & H Company in Hayfield is requesting a renewal of their liquor license and Sunday sale license. This renewal will cover the time period of January 1, 2010 through December 31, 2010.

Motion by Erickson seconded by Alberts to approve a liquor and Sunday sale license for the E & H Company for calendar year 2010, pending the approval of the County Attorney and County Sheriff and the submission of all required insurance documentation. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson attended an H.R.C. Joint Powers meeting, a State Railroad meeting, a WDI Joint Powers meeting and a Southeast Water Joint Powers meeting. Commissioner Alberts attended a legislative session meeting, a Semcac meeting, a Soil and Water and Environment meeting, an organizational meeting and a Semcac Office open house. Commissioner Gray attended a HRC meeting and a organizational meeting. Commissioner Erickson attended a SCHA Joint Powers meeting, a Regional Railroad Bonding hearing, an organizational meeting, a Cedar River Watershed Rules Committee meeting and a Semcac open house. Commissioner Tjosaas attended an organizational meeting, a Semcac open house and a Semcac meeting.

Agency Reports

Motion by Alberts seconded by Gray to adjourn the meeting at 10:58 a.m. CST.  
*Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on January 26, 2010 at 9:30 a.m. CST.

Next Regular Meeting

**ATTEST:**

---

LYLE TJOSAAS  
CHAIR, COUNTY BOARD

---

BECKY LUBAHN  
DEPUTY CLERK

---

DATED: